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On February 15, 2002

TOWNSEND and TOWNSEND and CREW LLP

By:

Kimberly Badiee

PATENT
Attorney Docket No.: 17516-002580US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JULIAN, Christopher A. et al.

Application No.: 09/998,004

Filed: November 28, 2001

For: ENDOSCOPIC BEATING-
HEART STABILIZER AND VESSEL
OCCLUSION FASTENER

Examiner: Unassigned

Art Unit: 3739

**PETITION IN RESPONSE TO NOTICE
TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

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APR 15 2002

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts mailed December 17, 2001, Applicants hereby submit this prompt petition to contend that the figures cited as omitted (Figs. 28B, 29-34, 35A, 35B, 36A, 36B, 37, 38A, 38B, 39A, 39B, 40, 40A, 41A, 41B, 42, 43A-43C) were in fact deposited in the U.S. Patent and Trademark Office with the nonprovisional application papers for the above-named application.

Enclosed herewith are:

- 1) A true copy of the Express Mail receipt with mailing no. 09998004 EL387639659US;
- 2) A true copy of the postcard sent with the application showing the inclusion of 45 sheets of Informal Drawings submitted on November 28, 2001 and Express Mail mailing no. EL387639659US;
- 3) A true copy of the same postcard returned from the U.S.P.T.O. affording the application the application number 09/998004 with a filing date of November 28, 2001;
- 4) A true copy of the Application Transmittal Letter specifying 45 total sheets of Drawings;

03/07/2002 SMINASS1 00000019 201430

09998004

EL387639659US;

05 FC:122 130.00 CH

2)

A true copy of the postcard sent with the application showing the

Adjustment date: 07/16/2002 AKELLEY

09998004

inclusion of 45 sheets of Informal Drawings submitted on

03/07/2002 SMINASS1 00000019 201430

09998004

November 28, 2001 and Express Mail mailing no.

05 FC:122 130.00 CR

EL387639659US;

3)

A true copy of the same postcard returned from the U.S.P.T.O. affording the application the application number 09/998004 with a filing date of November 28, 2001;

4)

A true copy of the Application Transmittal Letter specifying 45 total sheets of Drawings;

- 5) A true copy of the Application Data Sheet specifying 45 total drawing sheets;
- 6) A true copy of the 45 original drawing sheets included in the application, each sheet having a label specifying the sheet number out of 45 total sheets; and
- 7) A request for corrected filing receipt.

Please charge \$130.00, pursuant to 37 CFR § 1.17(h), to Deposit Account 20-1430. Please charge any additional fees or credit overpayment to the above Deposit Account. This petition is submitted in triplicate.

REMARKS

On November 28, 2001, Applicants filed the above-identified application with the U.S.P.T.O., including, among other items, 45 sheets of informal drawings. Applicants enclosed a postcard with the application, return receipt of which serves as a verification to the Applicants that the U.S.P.T.O. received the application with the contents itemized on the postcard.

As part of the Notice of Missing Parts mailed December 17, 2001, it is stated that Figs. 28B, 29-34, 35A, 35B, 36A, 36B, 37, 38A, 38B, 39A, 39B, 40, 40A, 41A, 41B, 42, 43A-43C appear to be omitted in the originally filed application wherein the total number of drawing sheets would have been 29 rather than 45.

We hereby offer evidence that the application, including all 45 sheets of informal drawings, and accompanying documents were timely filed on November 28, 2001 and request that the entire set of informal drawings be accorded the same filing date of November 28, 2001.

Enclosed is a true copy of the Express Mail receipt with mailing no. EL387639659US, indicating "Date In: 11-28-01" and postmarked as such. This receipt indicates that the application and accompanying documents, were timely mailed to Box Patent Application, Assistant Commissioner of Patents and Trademarks, Washington, DC 20231-0001 on November 28, 2001.

Also enclosed is a true copy of the postcard sent in with the application to show that all documents were mailed together, including 45 sheets of informal drawings,

on the same date, as can be seen from a comparison of the Express Mail mailing no. on the postcard and Express Mail receipt. A true copy of the same postcard returned from the U.S.P.T.O. acknowledging receipt of all items listed on the postcard, including 45 informal drawings sheets, is also included. The U.S.P.T.O. provided these items the application number 09/998004 and filing date of November 28, 2001, as shown by the barcode sticker.

Enclosed is a true copy of the Application Transmittal letter specifying 45 total sheets of Drawings, a true copy of the Application Data Sheet, specifying 45 total drawing sheets and a true copy of the 45 original drawings included in the application each sheet having a label specifying the sheet number out of 45 total sheets.

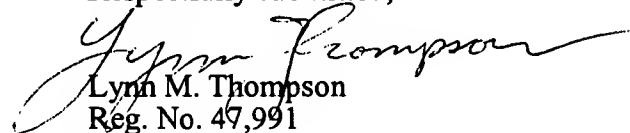
In addition, a request for corrected filing receipt is included to correct the number of drawings to specify 45 drawings rather than 29 drawings.

In view of the evidence provided herein establishing that all 45 drawings of the above-identified application were timely filed by Express Mail deposit with the U.S. Postal Service on November 28, 2001, Applicants respectfully request that all 45 drawings of said application be accorded the filing date of November 28, 2001.

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


Lynn M. Thompson
Reg. No. 47,991

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200 Fax: (415) 576-0300

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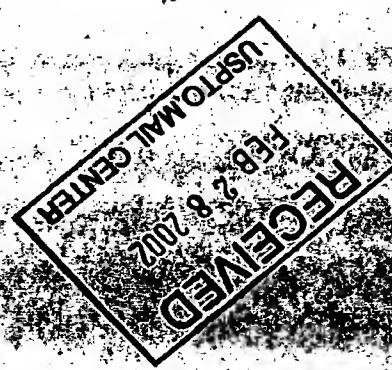
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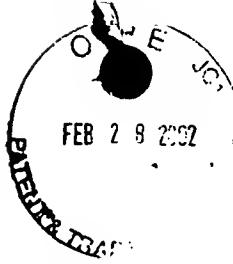
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for Patents
Washington, D.C. 20231

17516-0025800



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UTILITY PATENT APPLICATION
Filing Acknowledgment

Mailing Date:	November 28, 2001	Serial No.	Unassigned
File No.:	17516-002580US	Attorney:	JMH/jke
Applicant:	JULIAN, Christopher A. et al.		
Title:	Endoscopic Beating-Heart Stabilizer and Vessel Occlusion Fastener		

Please stamp the date of receipt of the enclosed documents and return this card to addressee

- Utility Patent Application Transmittal
- Unsigned Declaration
- ADS
- Specification, 54pgs
- Informal Drawings 45 sheets
- Return Postcard

DUE DATE: November 28, 2001 Express Mail Label No. EL387639659US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION
Filing Acknowledgment

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11011 U.S. PTO
09/998004

11/28/01

DUE DATE: November 28, 2001

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**
FEB 28 2002
JC108

Attorney Docket No. 017516-002580US

First Inventor JULIAN, CHRISTOPHER A.

Title ENDOSCOPIC BEATING-HEART STABILIZER AND VESSEL
OCCLUSION FASTENER

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Express Mail Label No. EL387839859US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 54]
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C.113) [Total Sheets 45]

5. Oath or Declaration [Total Pages 2]

- a. Unexecuted Declaration
- b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
- i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TOAssistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper number of pages
- c. Statements verifying identity of above copies

**COPY OF PAPERS
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- 9. Assignment Papers (cover sheet & document(s))
- 10. 37 C.F.R. §3.73(b) Statement Power of
(when there is an assignee) Attorney
- 11. English Translation Document (if applicable)
- 12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS
Citations
- 13. Preliminary Amendment
- 14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- 15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- 16. Nonpublication Request under 35 U.S.C.
122(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent
- 17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No. _____ /
Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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Address			
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Country	Telephone	Fax	

Name (Print/Type)	James M. Helsin	Registration No. (Attorney/Agent)	29,541
Signature			Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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Section

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Petition fees are subject to annual revision.

FEES TRANSMITTAL for FY 2001		Complete If Known	
		Application Number	09/998,004
		Filing Date	November 28, 2001
		First Named Inventor	JULIAN, CHRISTOPHER OPY OF PAPERS
		Examiner Name	ORIGINALLY FILED
		Group Art Unit	3739
TOTAL AMOUNT OF PAYMENT (\$)		1746	
		Attorney Docket No. 017516-002580US RECEIVED	

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																		
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 20-1430</p> <p>Deposit Account Name Townsend and Townsend and Crew LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <p>APR 15 2002</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,440</td><td>216</td><td>720</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>148</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(e))</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify)</td></tr> <tr> <td colspan="4">The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2" style="text-align: right;">SUBTOTAL (3) (\$195)</td> </tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for reexamination	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	55	Extension for reply within first month	116	400	216	200	Extension for reply within second month	117	920	217	460	Extension for reply within third month	118	1,440	216	720	Extension for reply within fourth month	128	1,960	228	980	Extension for reply within fifth month	119	320	219	160	Notice of Appeal	120	320	220	160	Filing a brief in support of an appeal	121	280	221	140	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	55	Petition to revive - unavoidable	141	1,280	241	640	Petition to revive - unintentional	142	1,280	242	640	Utility issue fee (or reissue)	143	460	243	230	Design issue fee	144	620	244	310	Plant issue fee	122	130	122	130	Petitions to the Commissioner	123	50	123	50	Petitions related to provisional applications	126	180	126	180	Submission of Information Disclosure Stmt	581	40	581	40	Recording each patent assignment per property (times number of properties)	148	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(e))	149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	179	740	279	370	Request for Continued Examination (RCE)	169	900	169	900	Request for expedited examination of a design application	Other fee (specify)				The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$195)	
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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																						

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Lynn M. Thompson	Registration No. (Attorney/Agent)	47,991
Signature	<i>Lynn M. Thompson</i>		Date
February 15, 2002			

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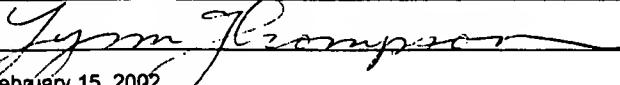
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/998,004
FEB 28 2002 U.S. PATENT & TRADEMARK OFFICE		Filing Date	November 28, 2001
		First Named Inventor	JULIAN, CHRISTOPHER A.
		Group Art Unit	3739
		Examiner Name	COPY OF PAPERS ORIGINALLY FILED
Total Number of Pages in This Submission		Attorney Docket Number	

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Notice to File Missing Parts Declaration Power of Attorney Statement Under 37 CFR 3.73(b) Petition in Response to Notice to File Missing Parts Copy of Express Mail Label Copy of originally filed Informal Drawings (45 sheets) Copy of Return Postcard Copy of Filing Transmittal Copy of Filed ADS Request for Corrected Filing Receipt Copy of Redlined Filing Receipt and Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Lynn M. Thompson	
Signature		
Date	February 15, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

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Application Data Sheet

Application Information

Application number::	Unassigned	COPY OF PAPERS ORIGINALLY FILED
Filing Date::	11/28/01	
Application Type::	Regular	
Subject Matter::	Utility	
Title::	ENDOSCOPIC BEATING-HEART STABILIZER AND VESSEL OCCLUSION FASTENER	
Attorney Docket Number::	017516-002580US	
Request for Early Publication::	No	
Request for Non-Publication::	No	
Total Drawing Sheets::	45	
Small Entity?::	Yes	
Petition included?::	No	
Secrecy Order in Parent Appl.::	No	

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	CHRISTOPHER
Middle Name::	A.
Family Name::	JULIAN
City of Residence::	Los Gatos
State or Province of Residence::	CA
Country of Residence::	US
Street of Mailing Address::	546 Woodland Ridge
City of Mailing Address::	Los Gatos
State or Province of mailing address::	CA
Country of mailing address::	USA

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Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: DEAN
Middle Name:: F.
Family Name:: HOORNAERT
City of Residence:: Mountain View
State or Province of Residence:: CA
Country of Residence:: US
Street of Mailing Address:: 1945 Latham Street, #11
City of Mailing Address:: Mountain View
State or Province of mailing address:: CA
Country of mailing address:: USA
Postal or Zip Code of mailing address:: 94040

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: MARGARET
Middle Name:: M.
Family Name:: ISAAC
City of Residence:: Redwood City
State or Province of Residence:: CA
Country of Residence:: US
Street of Mailing Address:: 2101 Jefferson Avenue
City of Mailing Address:: Redwood City
State or Province of mailing address:: CA
Country of mailing address:: USA
Postal or Zip Code of mailing address:: 94062

Correspondence Information

Correspondence Customer Number:: 20350

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Representative Information

Representative Customer Number:: 20350

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	Claims priority from::	60/253,484	11/28/2000
	claims priority from::	60/285,641	04/19/2001
	claims priority from::	60/290,556	05/10/2001
	claims benefit from::	09/436,524	11/09/1999

Assignee Information

Assignee Name:: Intuitive Surgical, Inc.
Street of mailing address:: 1340 West Middlefield Road
City of mailing address:: Mountain View
State or Province of mailing address:: CA
Country of mailing address:: USA
Postal or Zip Code of mailing address:: 94043

PA 3186530 v1

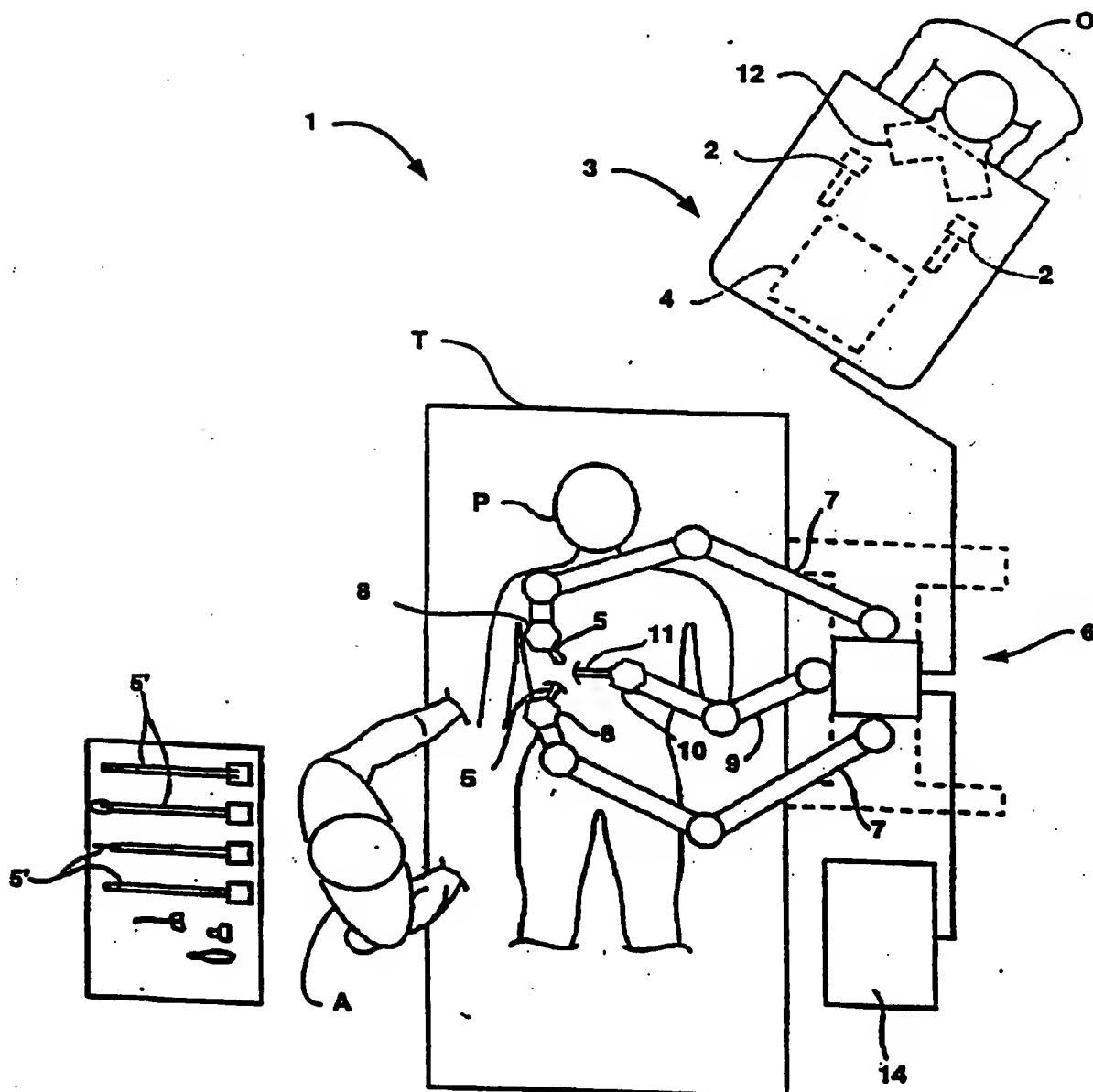


Fig. 1

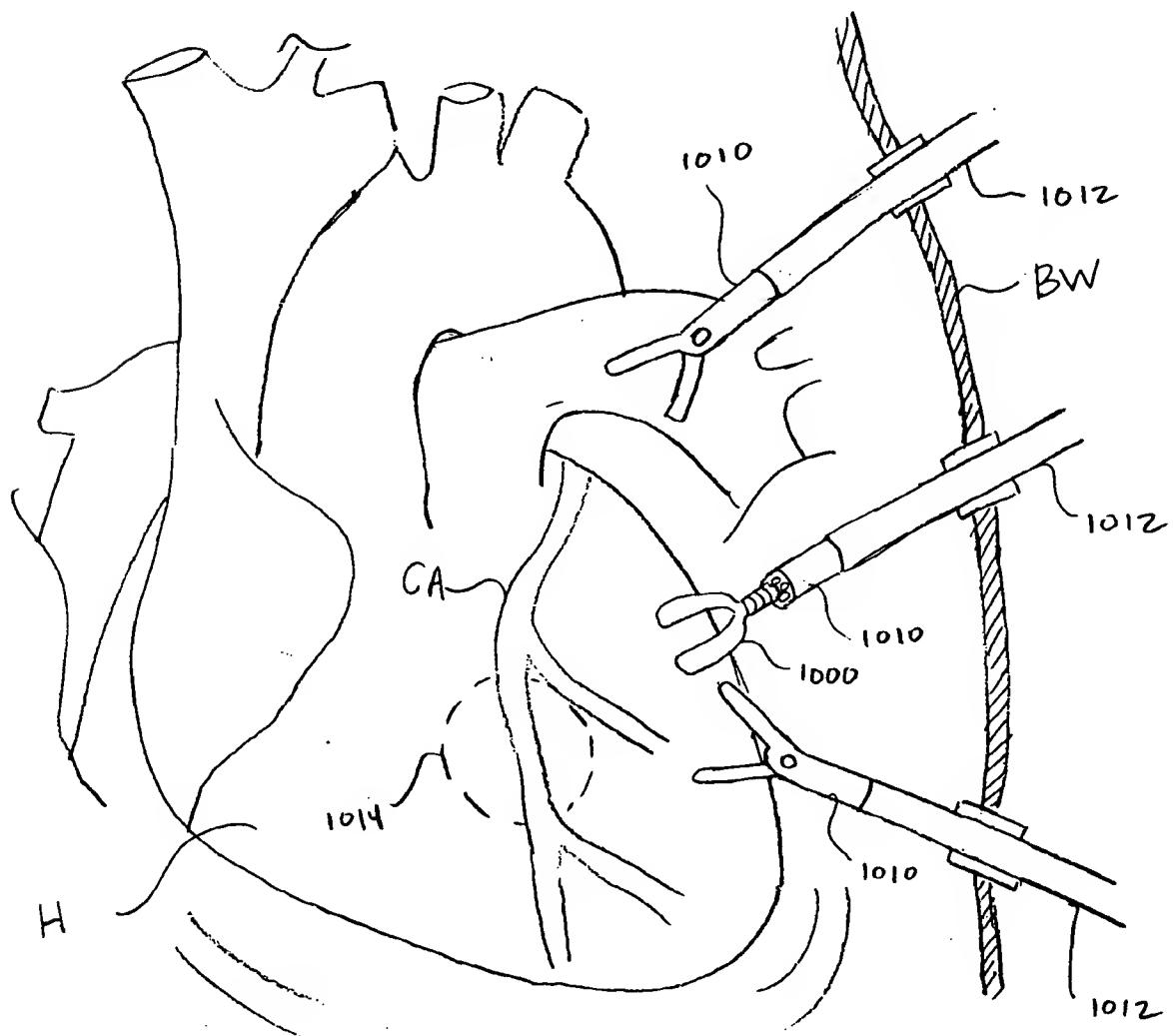


FIG-2

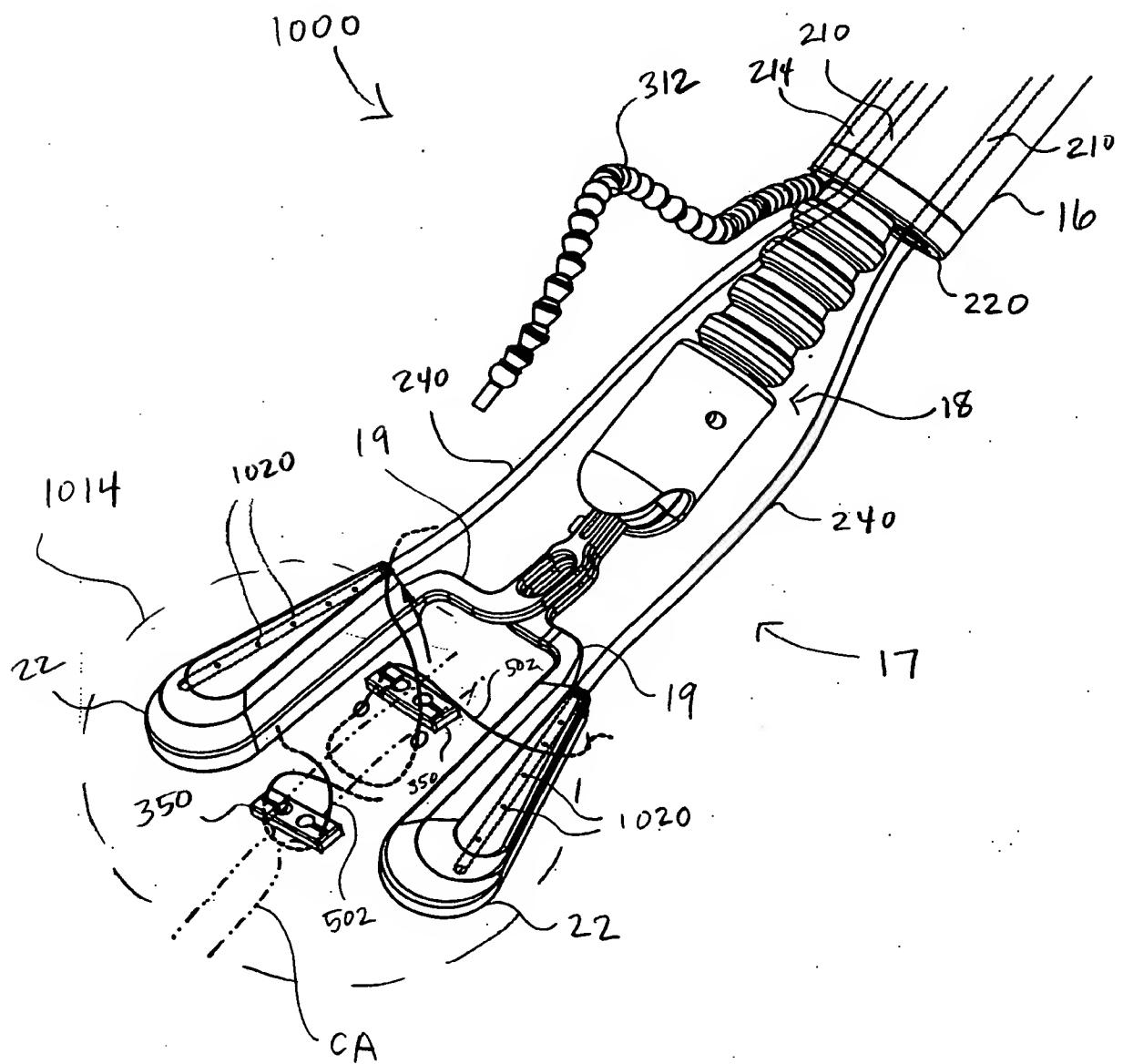
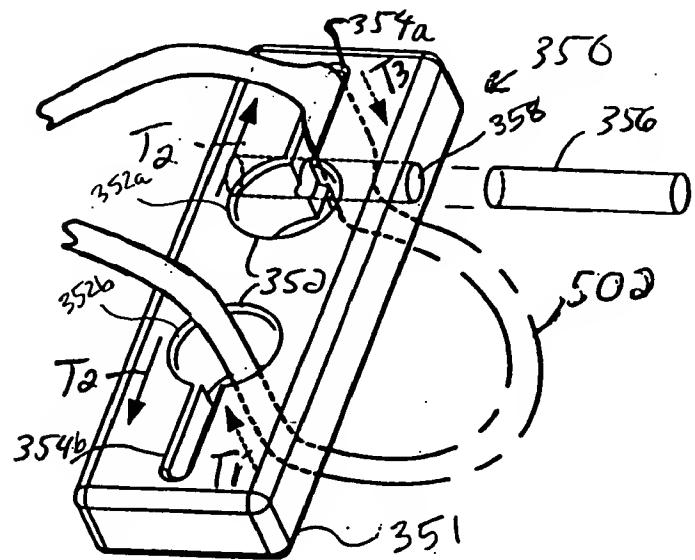


FIG-3



FIG_4A

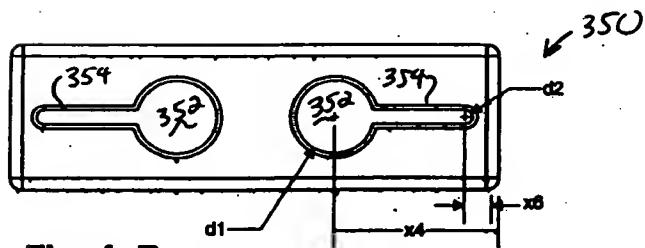


Fig. 4 B

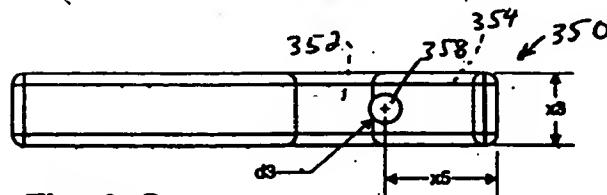
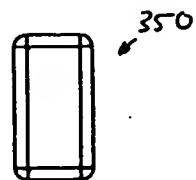


Fig. 4 C



FIG_4E

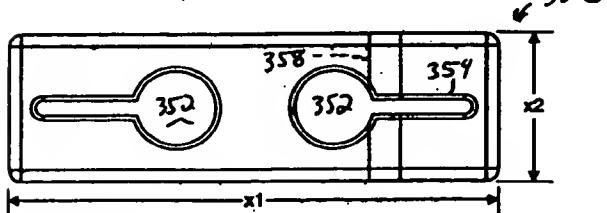


Fig. 4 D

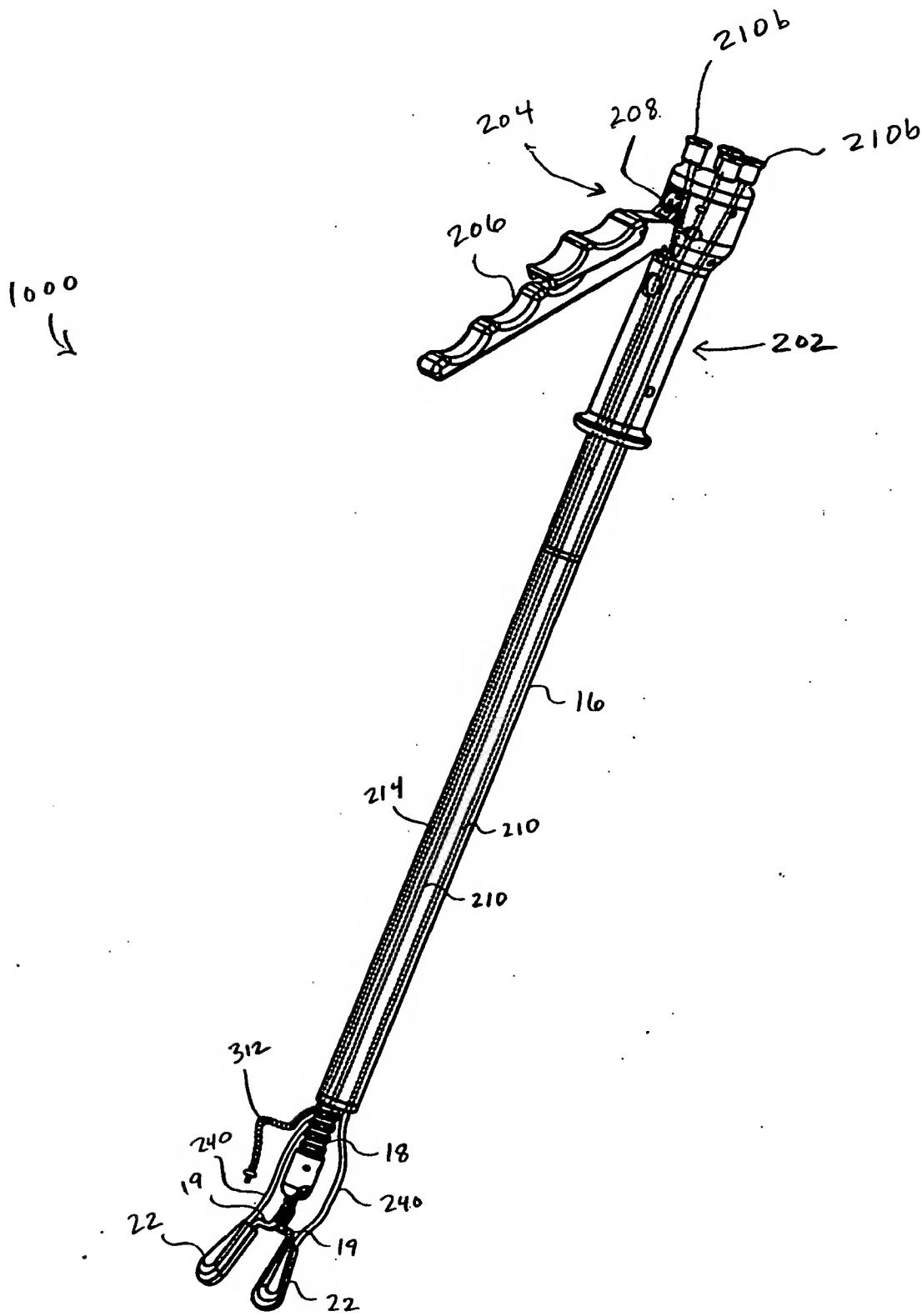


FIG-5

FIG-6A

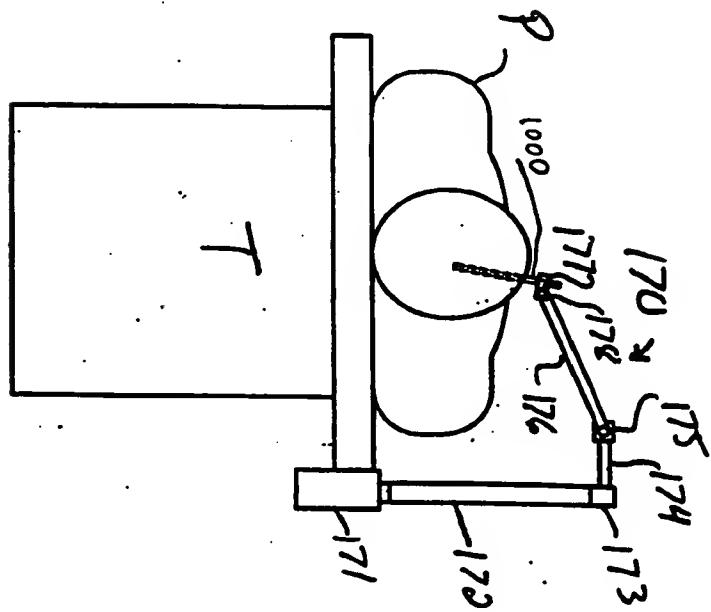
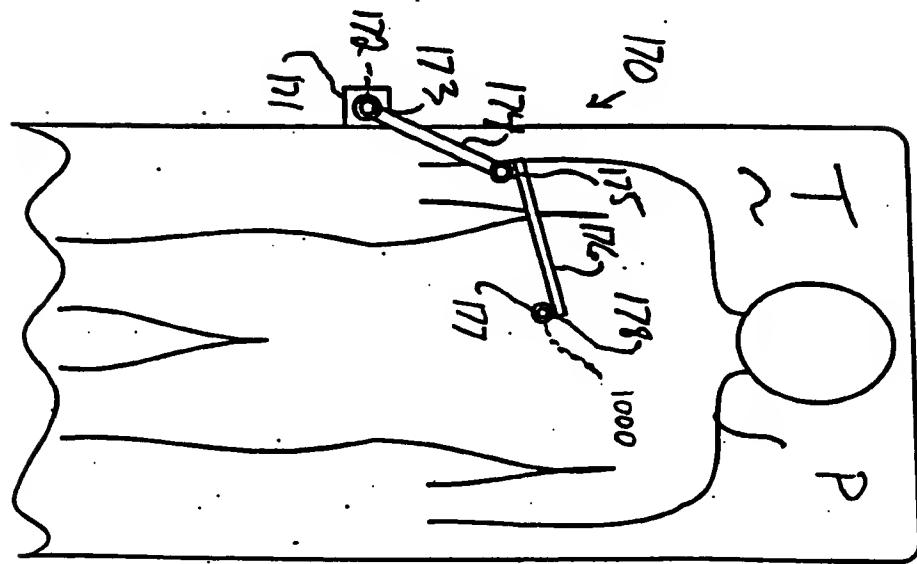


FIG-6B



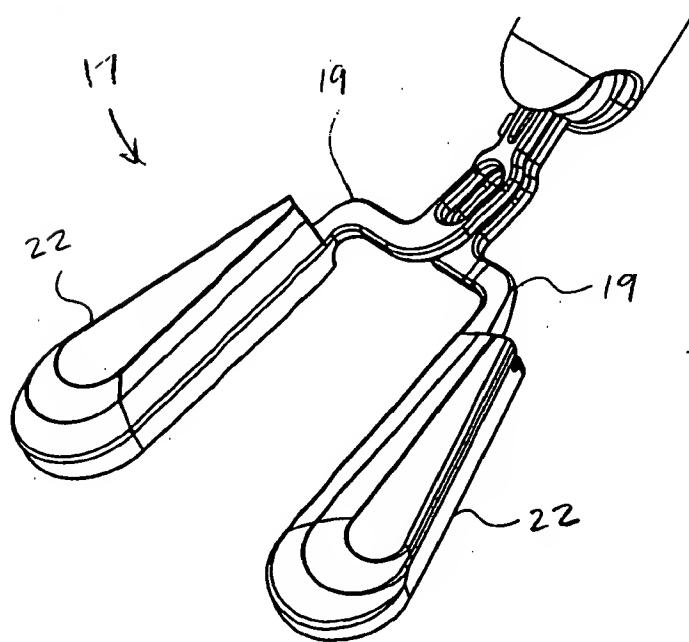


FIG-7A

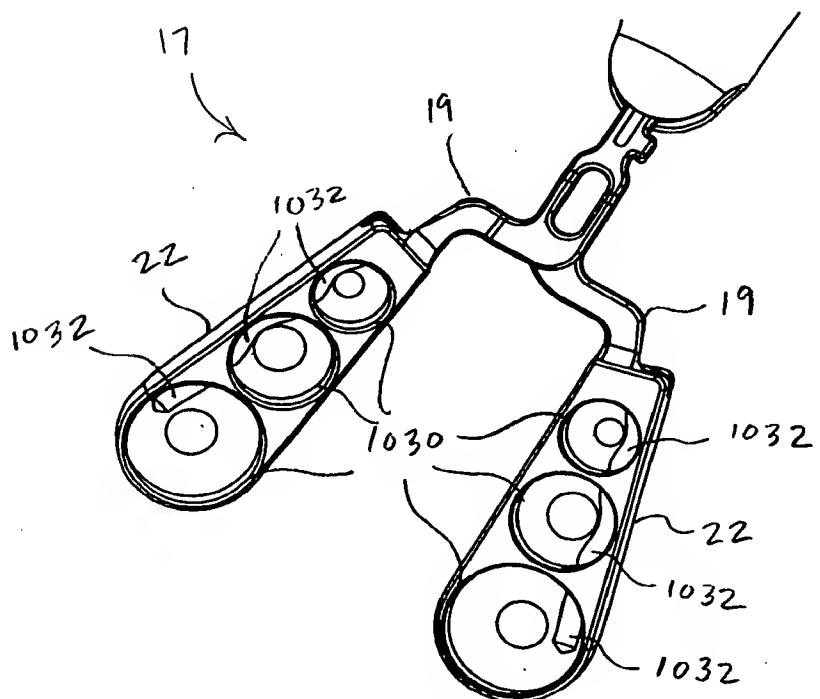
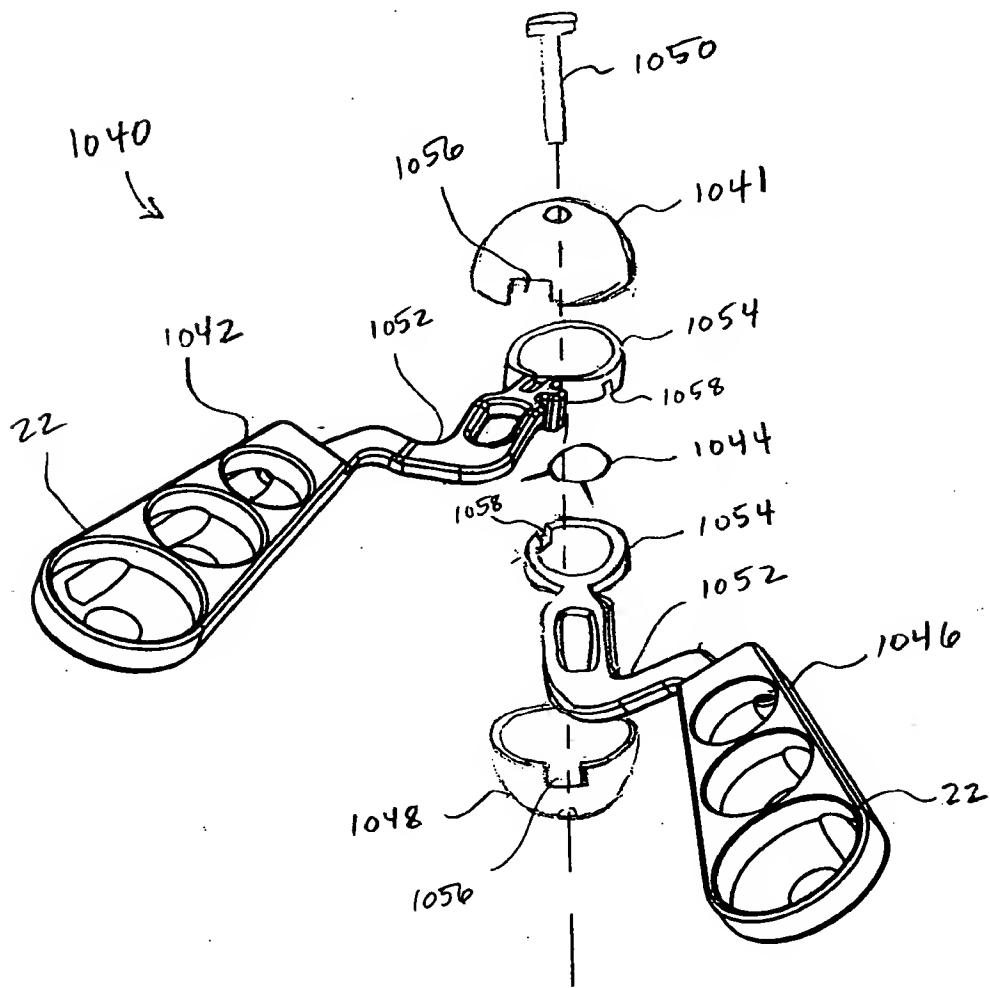


FIG-7B



FIG_8

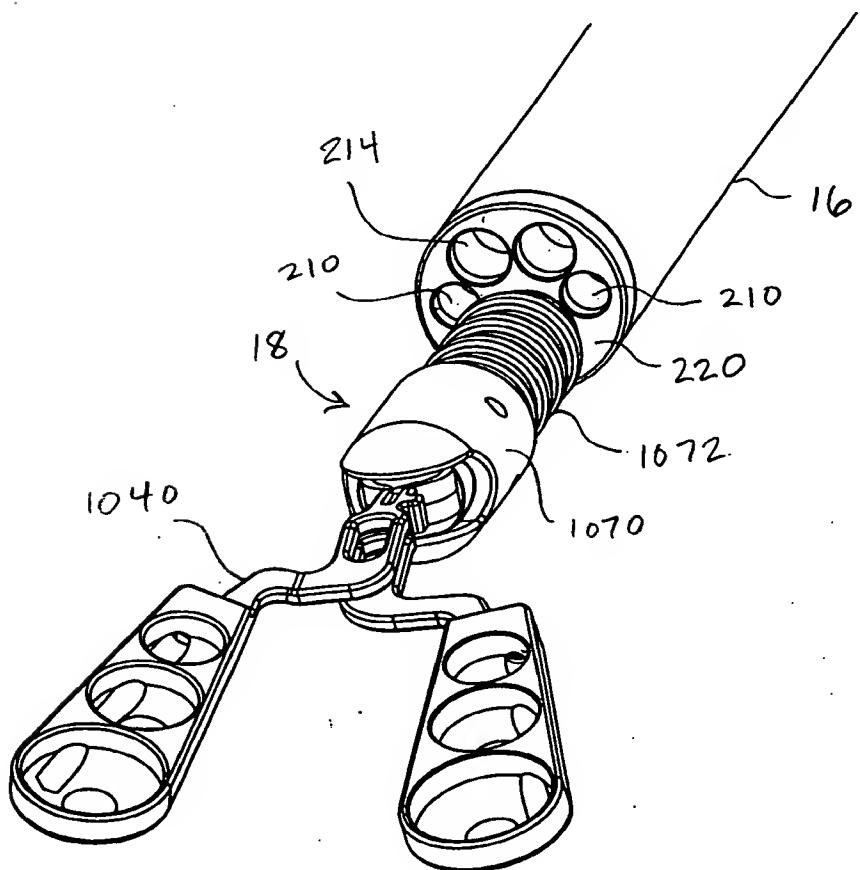


FIG-9A

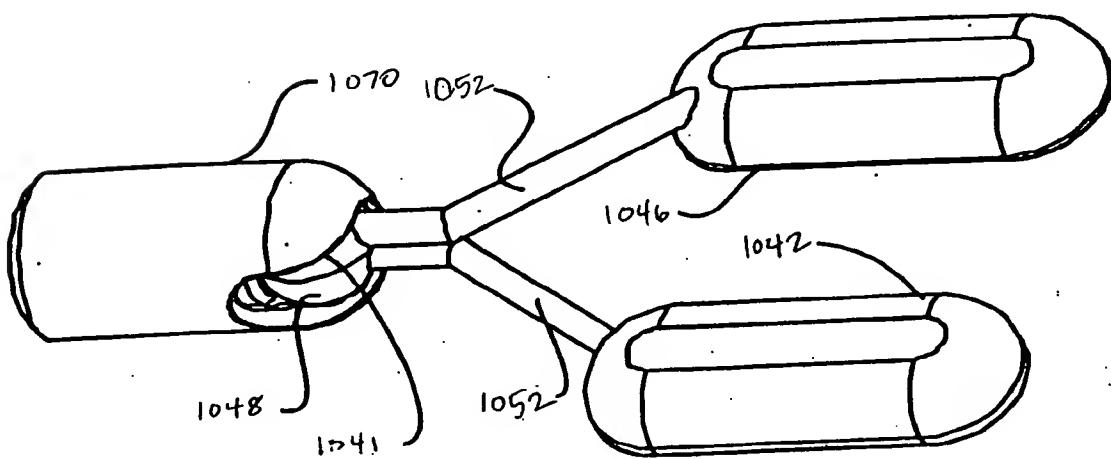


FIG. 9B

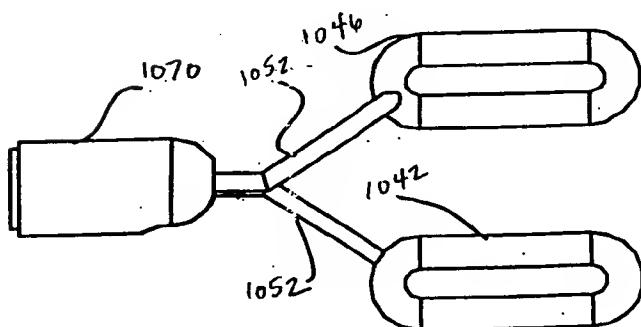


FIG-9C

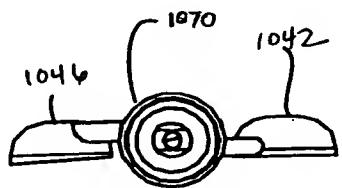


FIG-9D

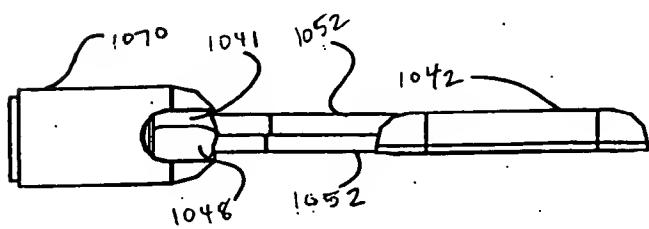


FIG-9E

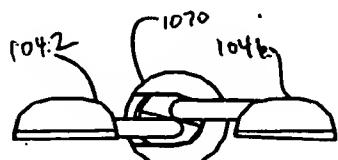


FIG-9F

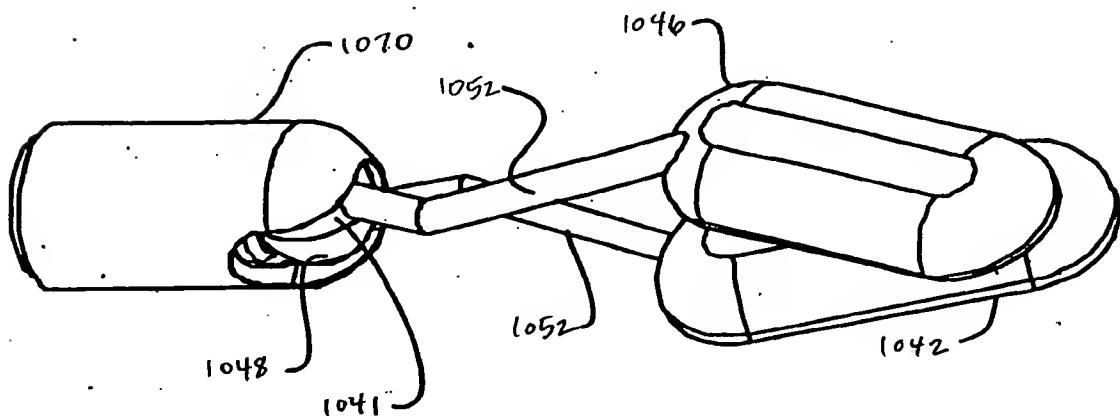


FIG-9G

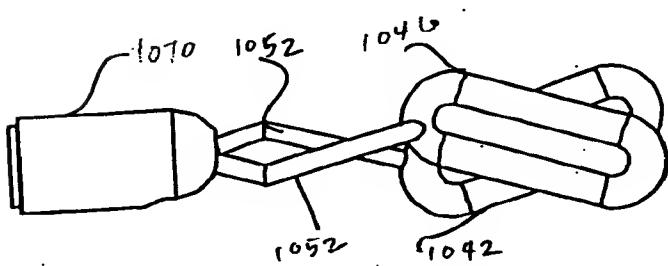


FIG-9H

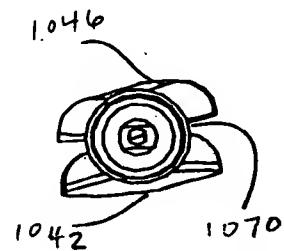


FIG-9I

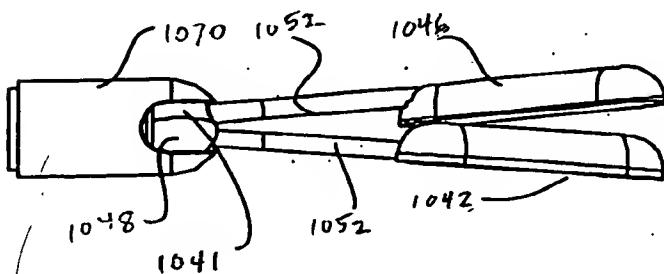


FIG-9J

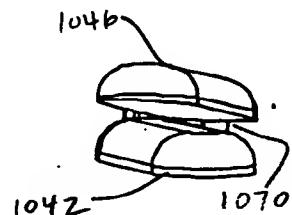
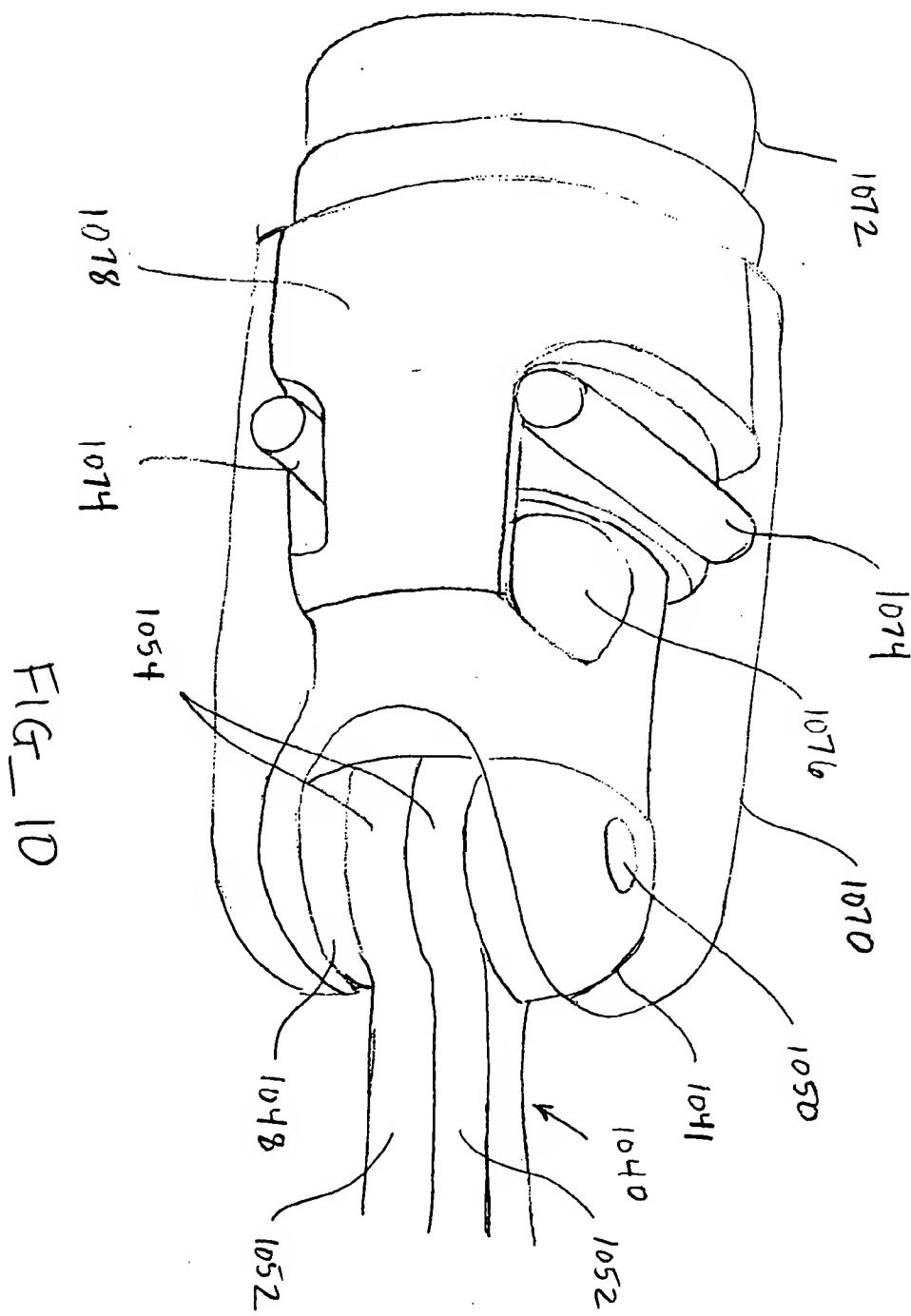
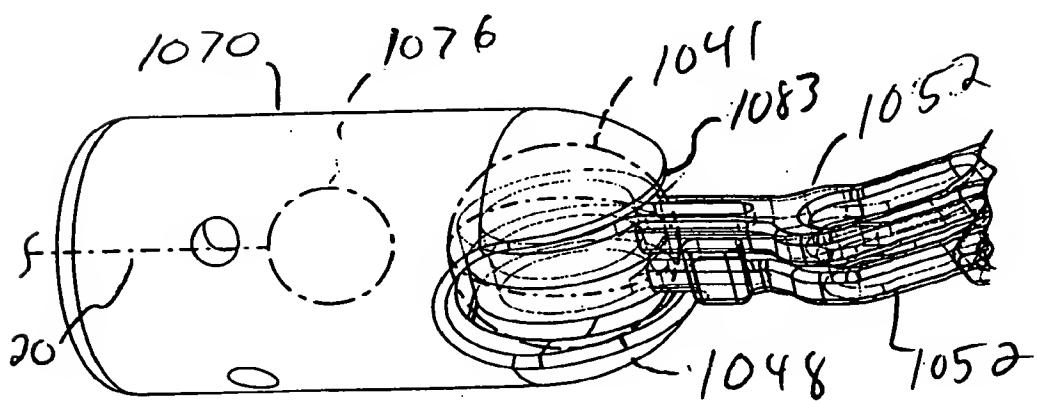
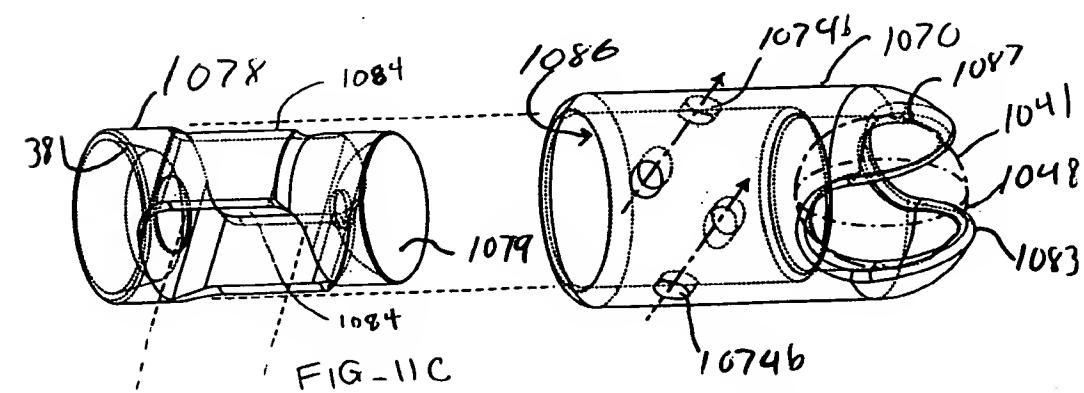


FIG-9K

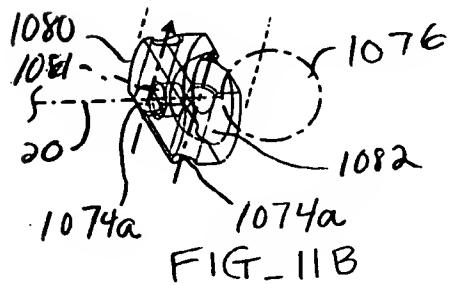




FIG_11A



FIG_11D



FIG_11B

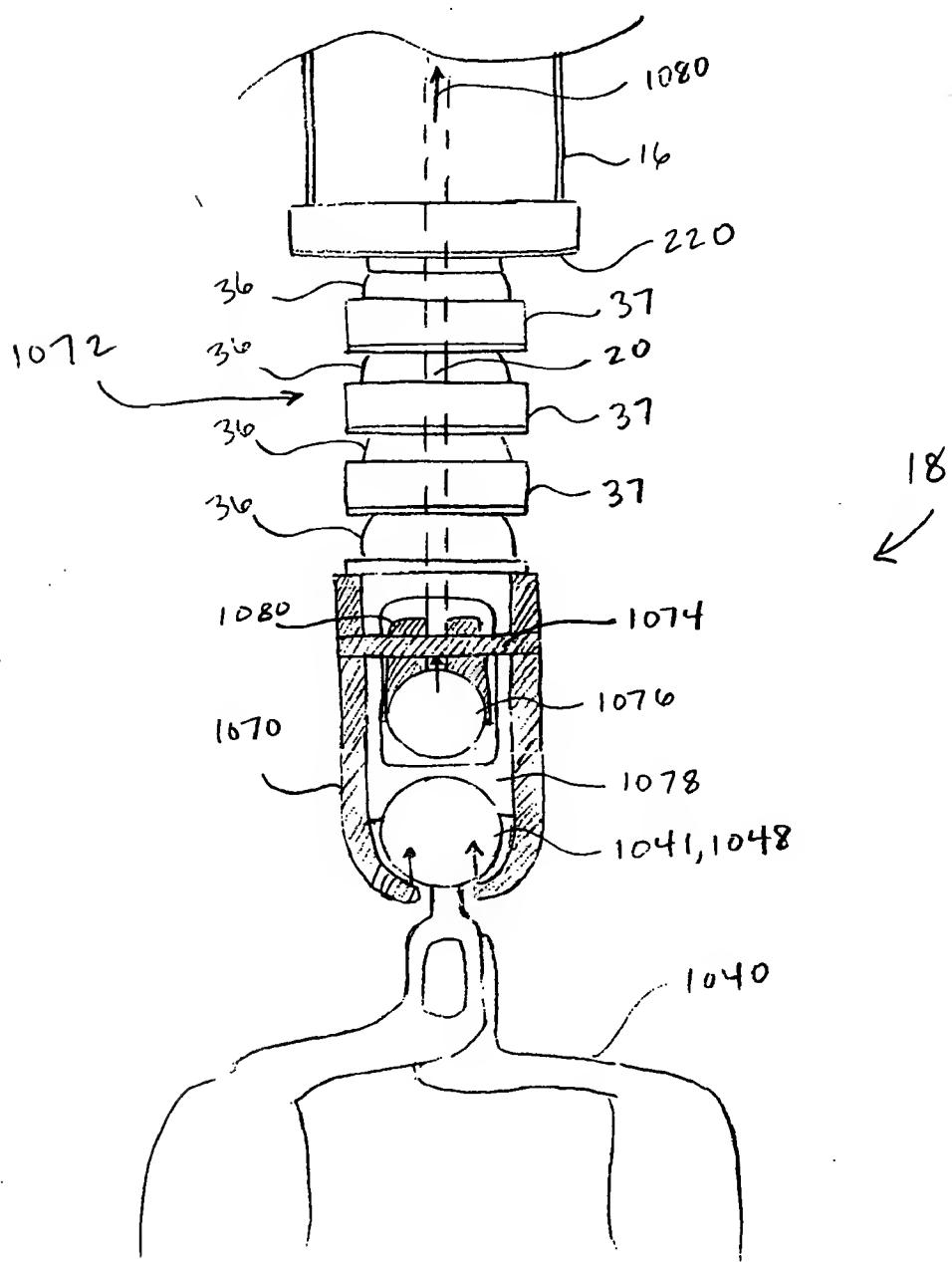


FIG-11E

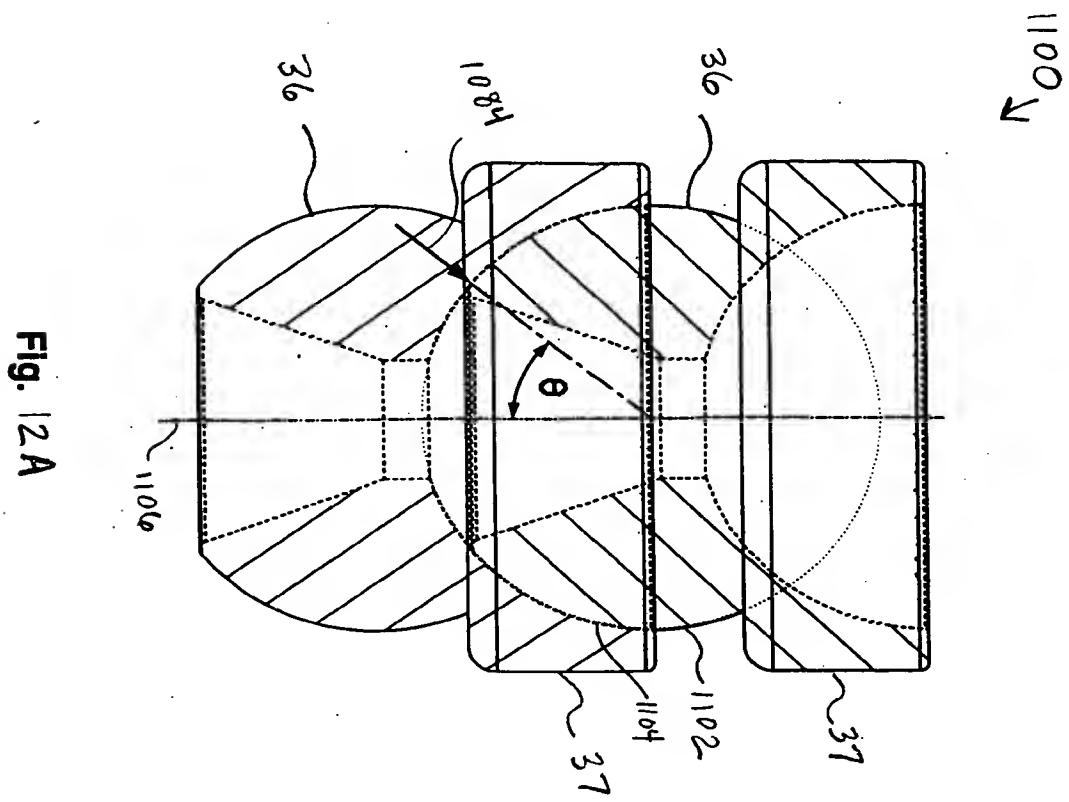


Fig. 12A

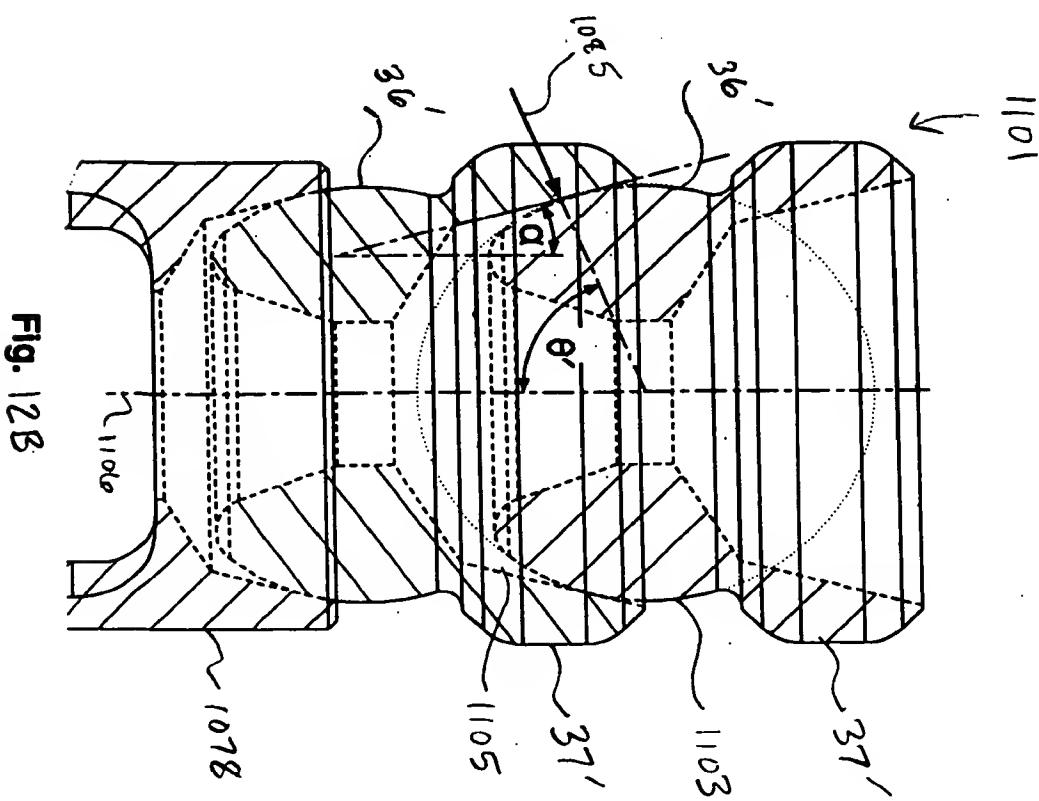
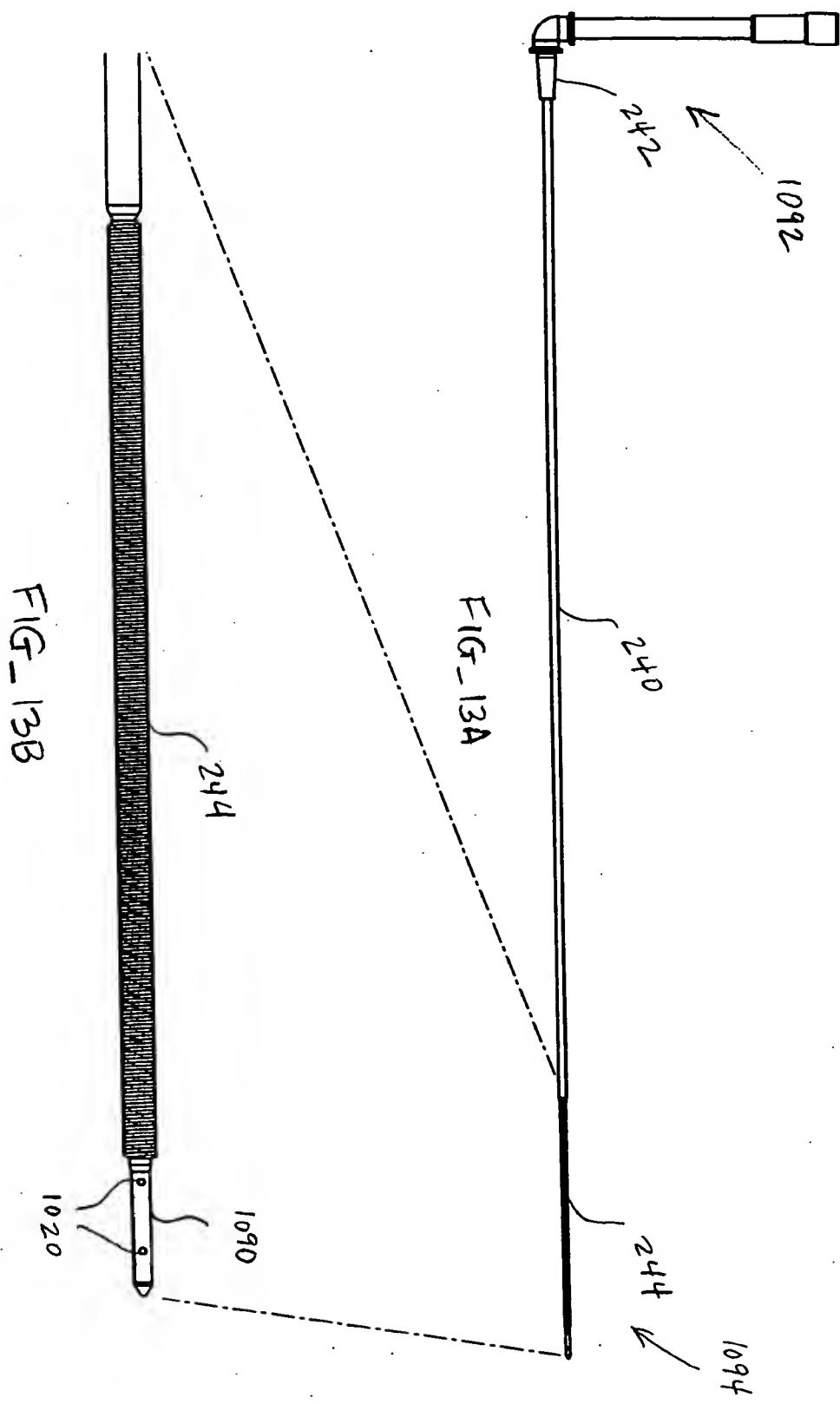


Fig. 12B



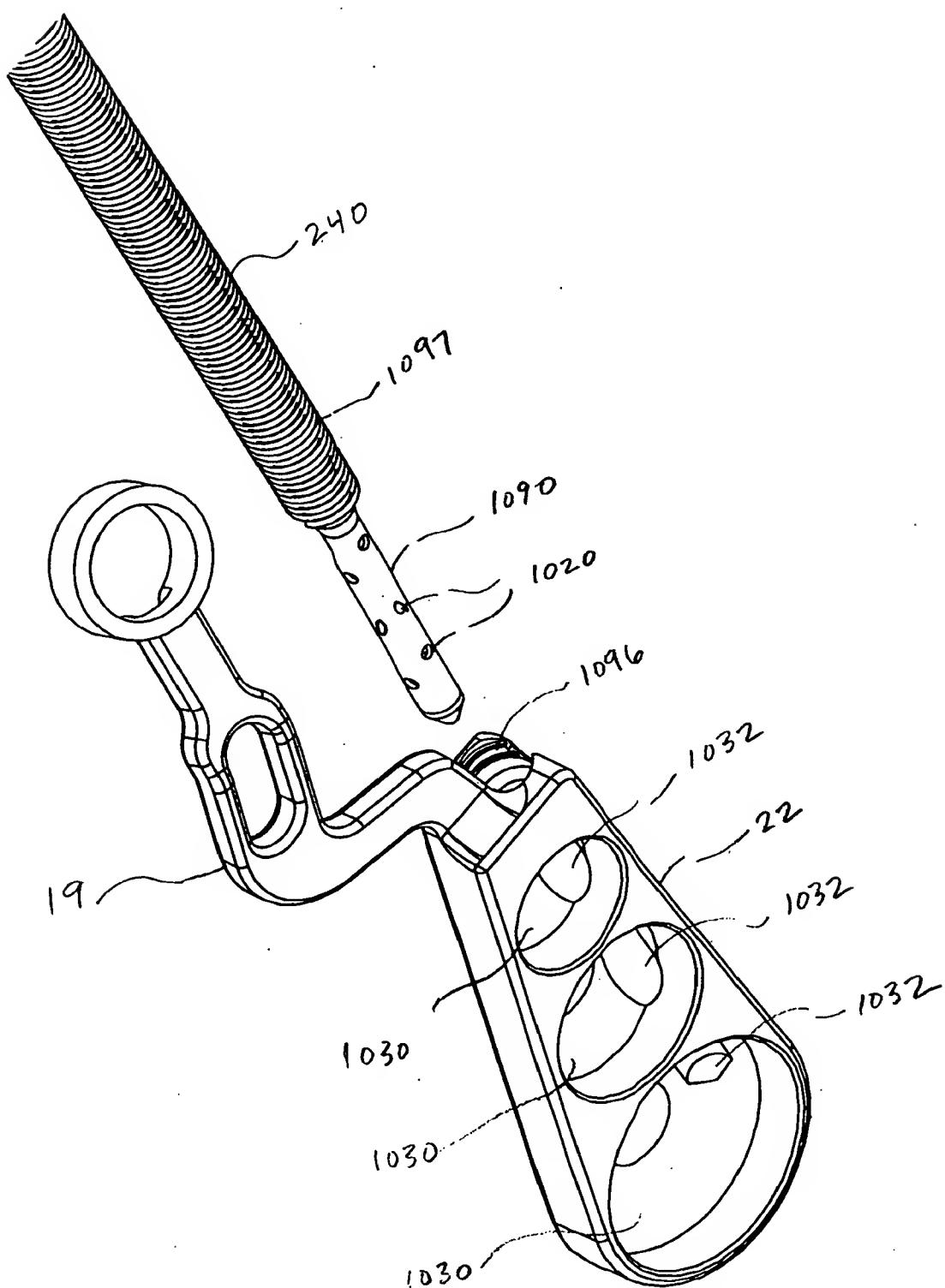


FIG-14

Fig. 16

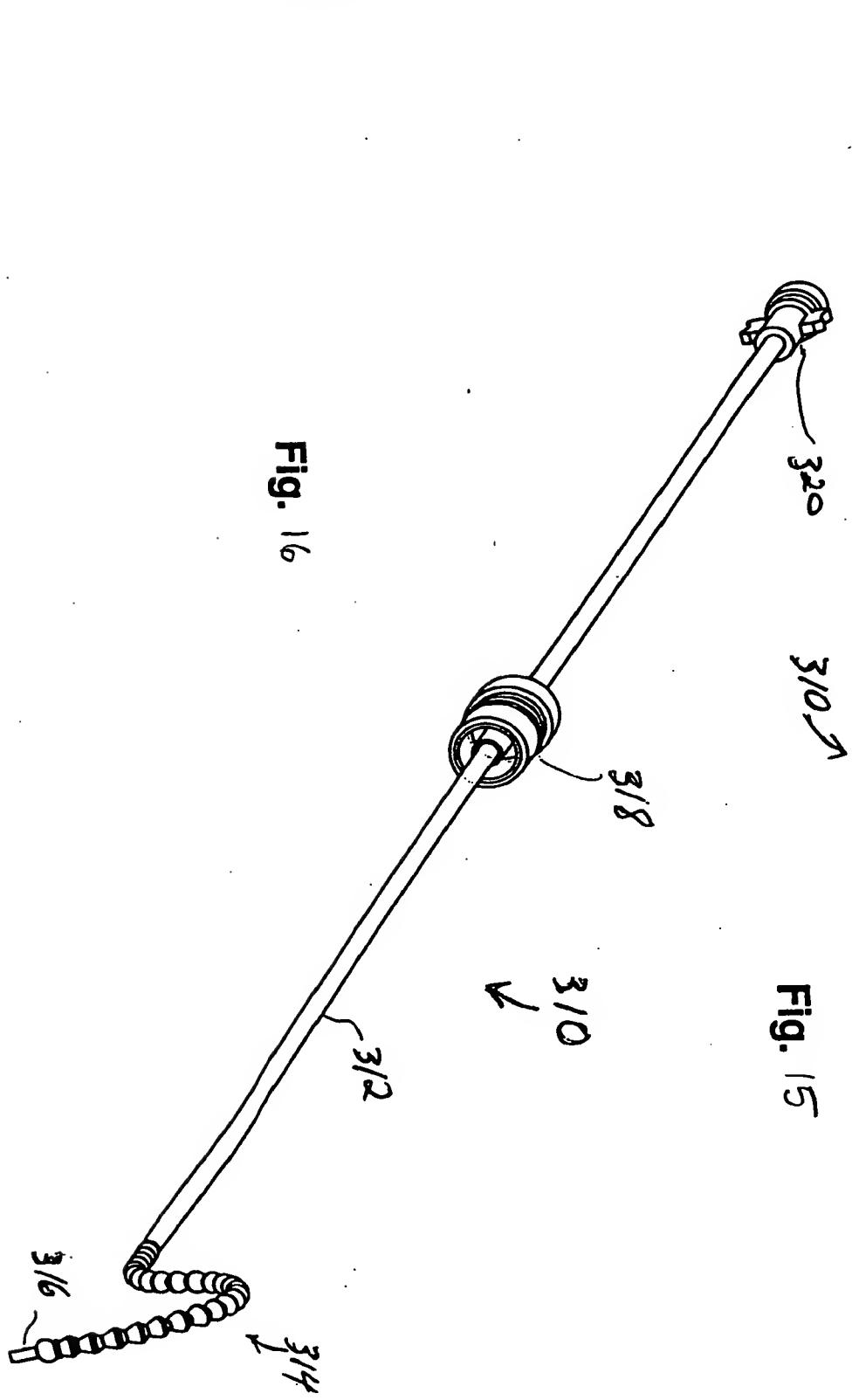
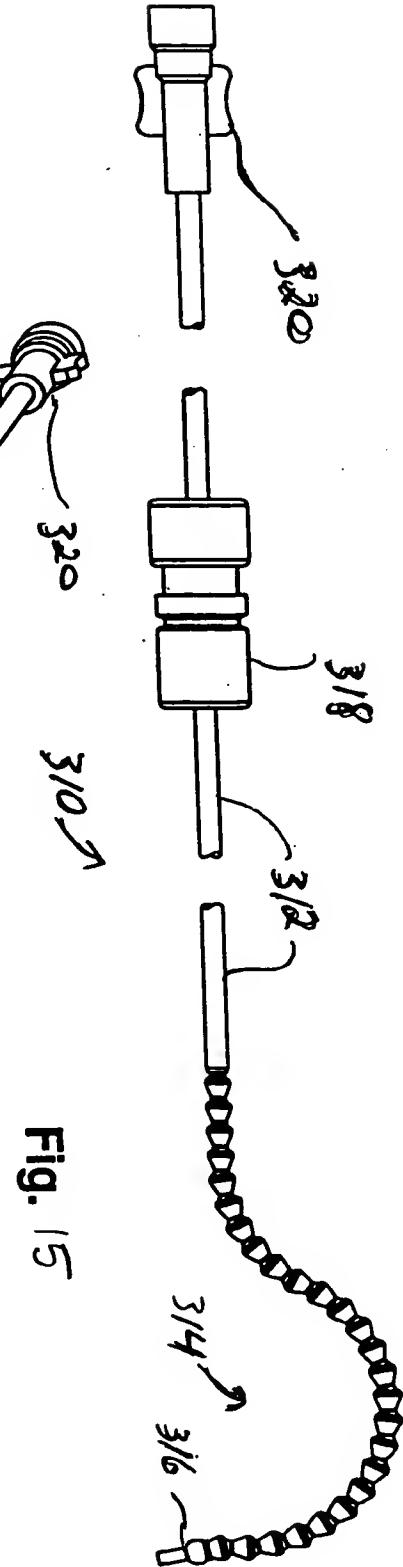


Fig. 15



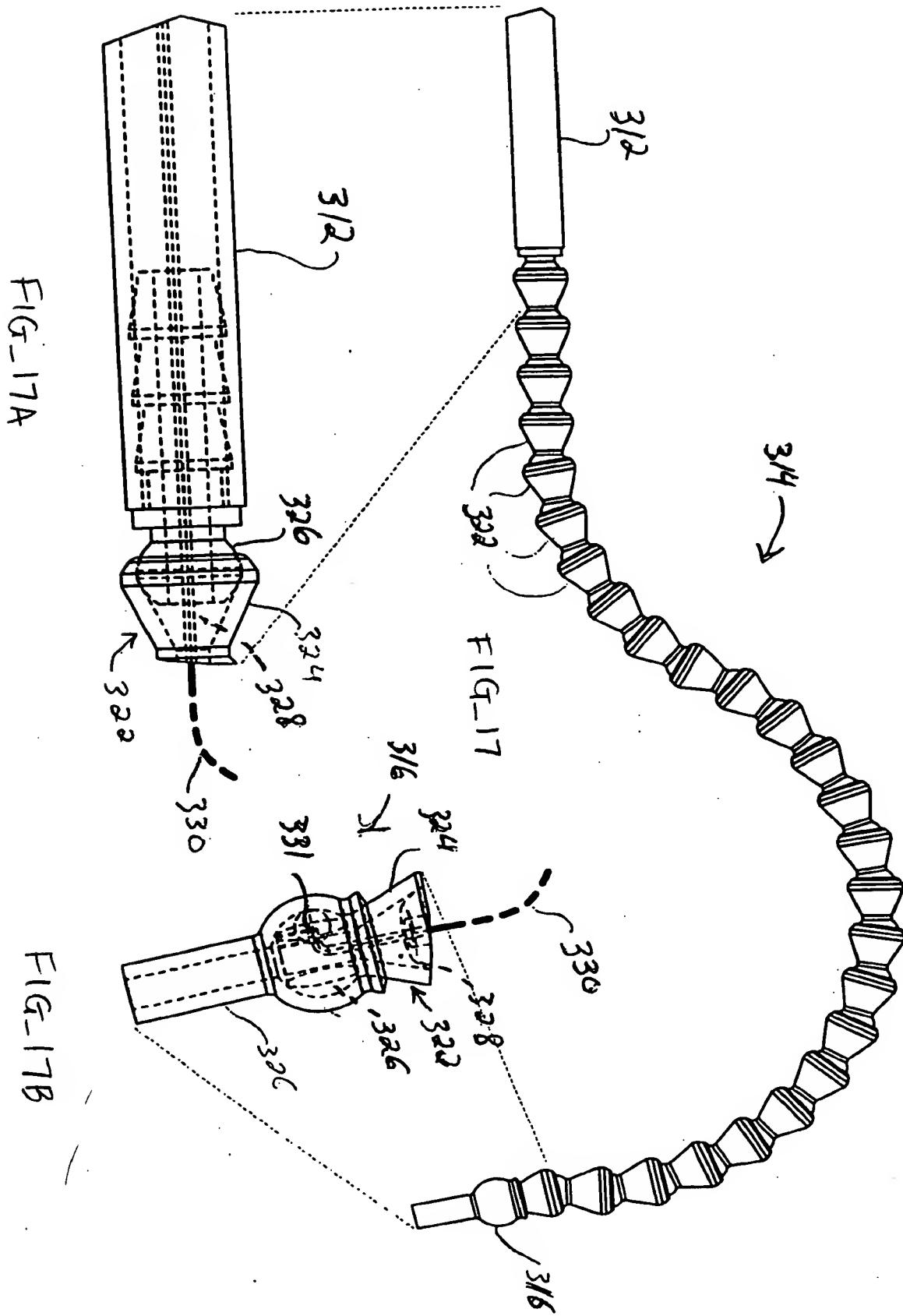


FIG-18

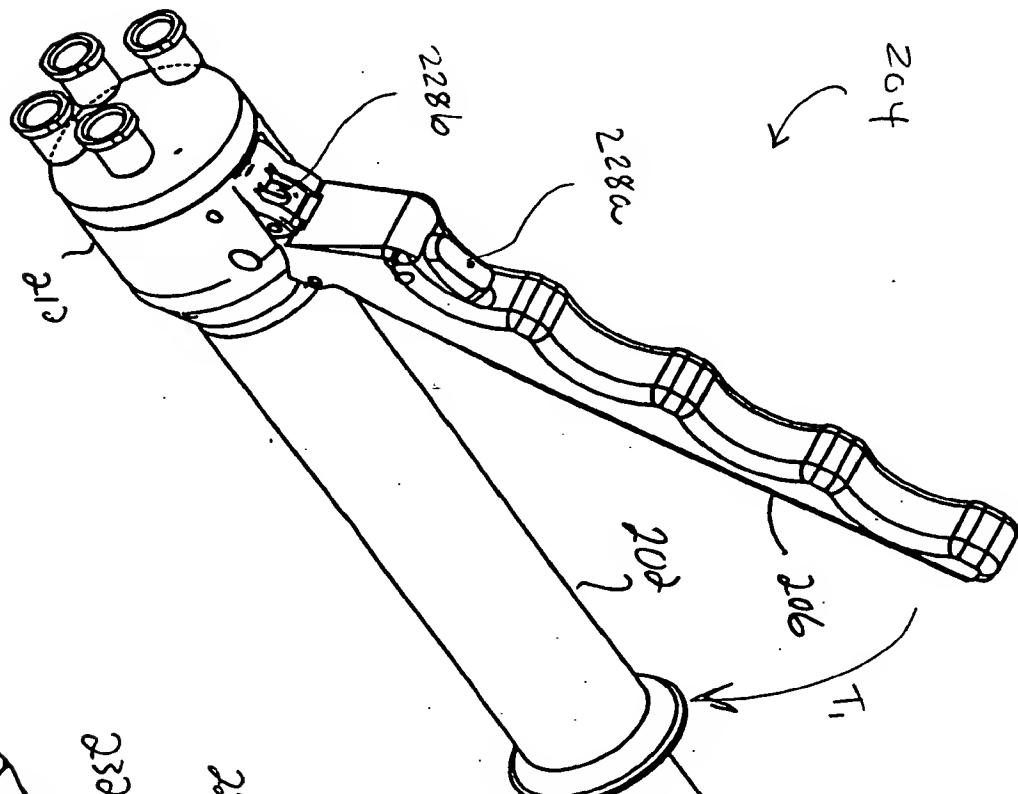
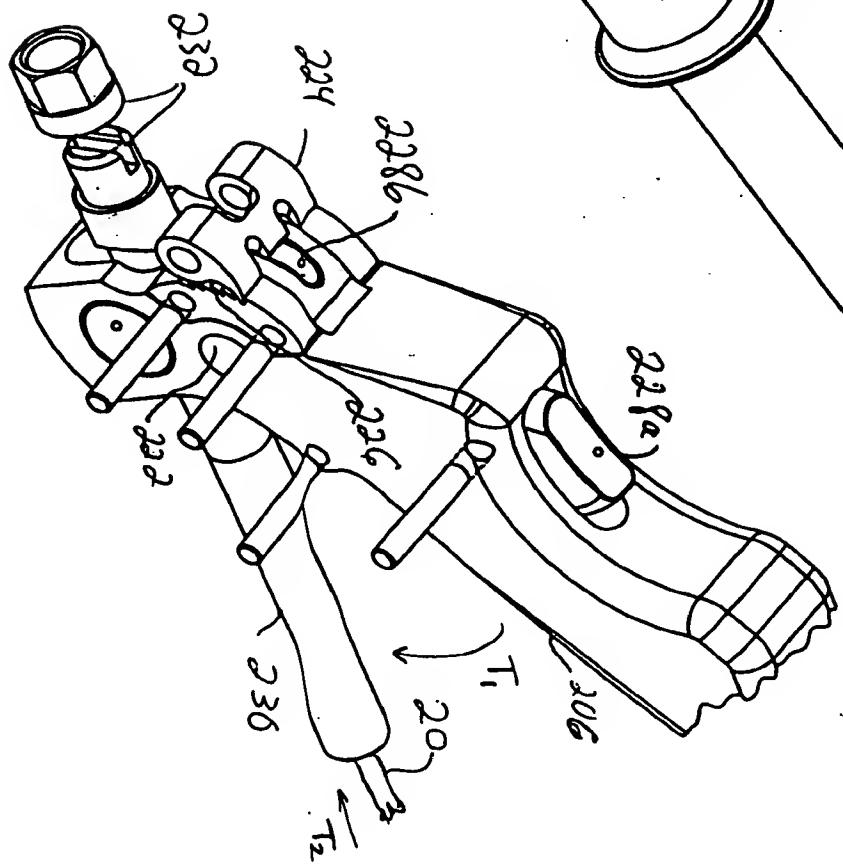


FIG-19



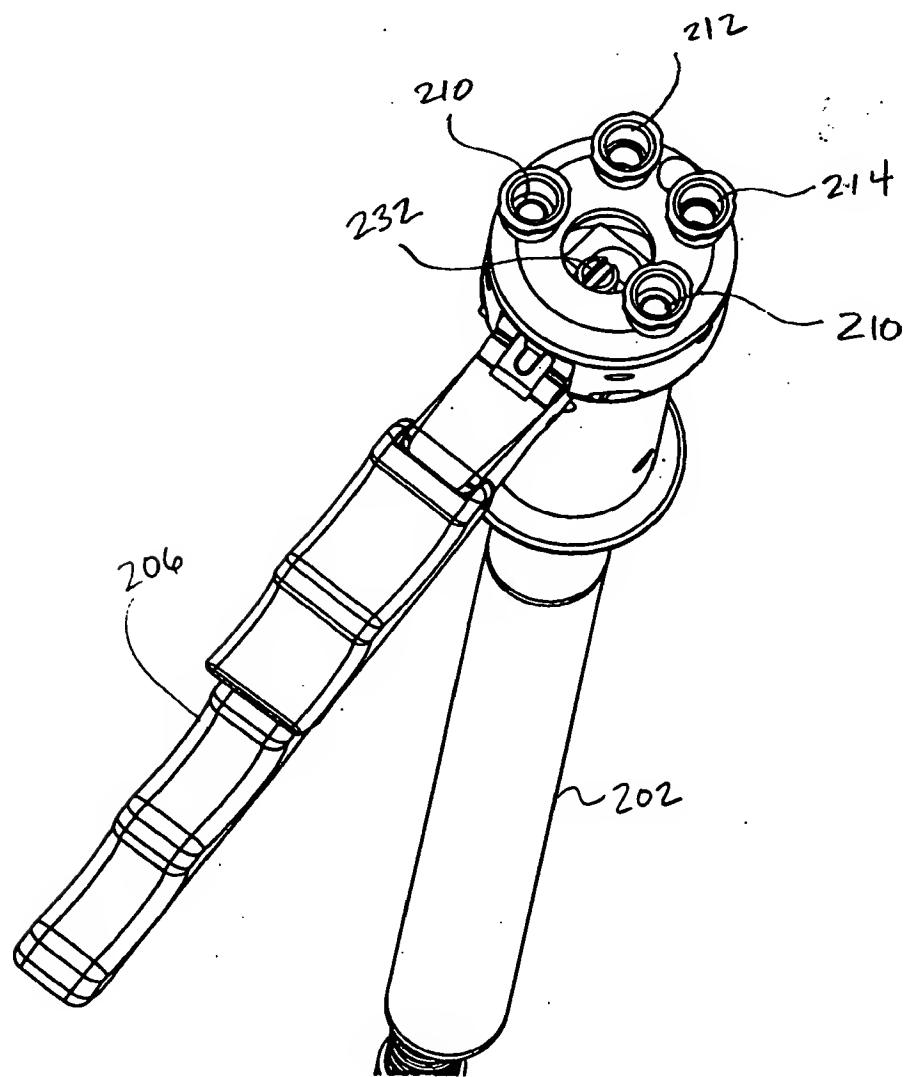


FIG-20

FIG-21

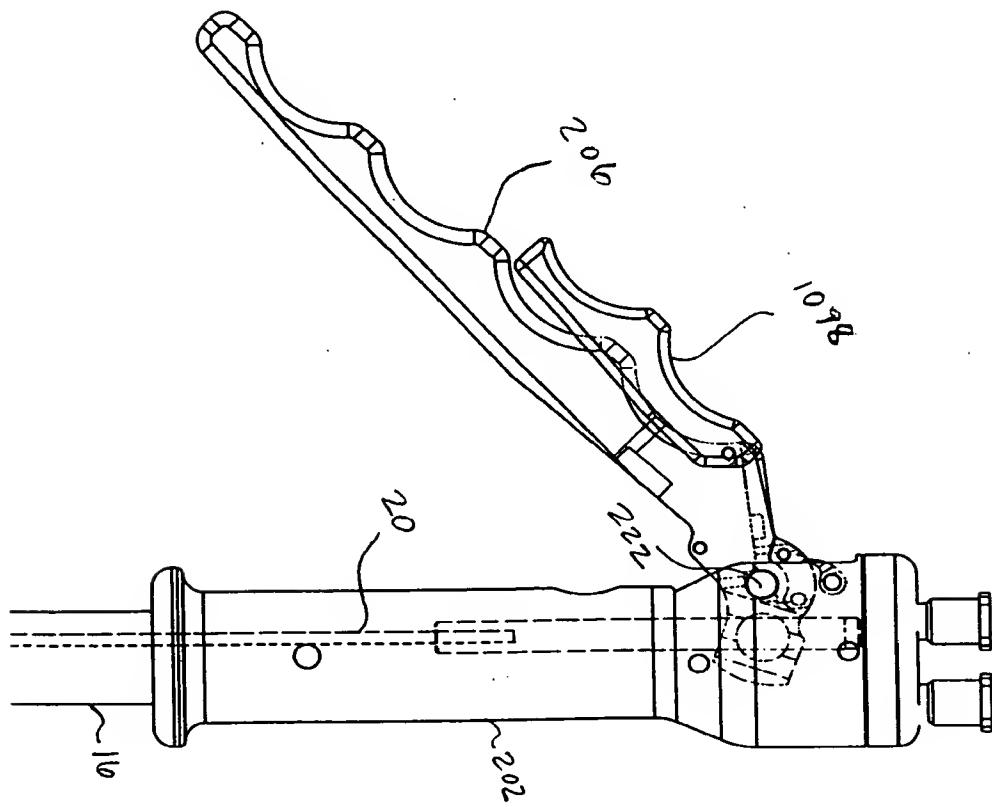
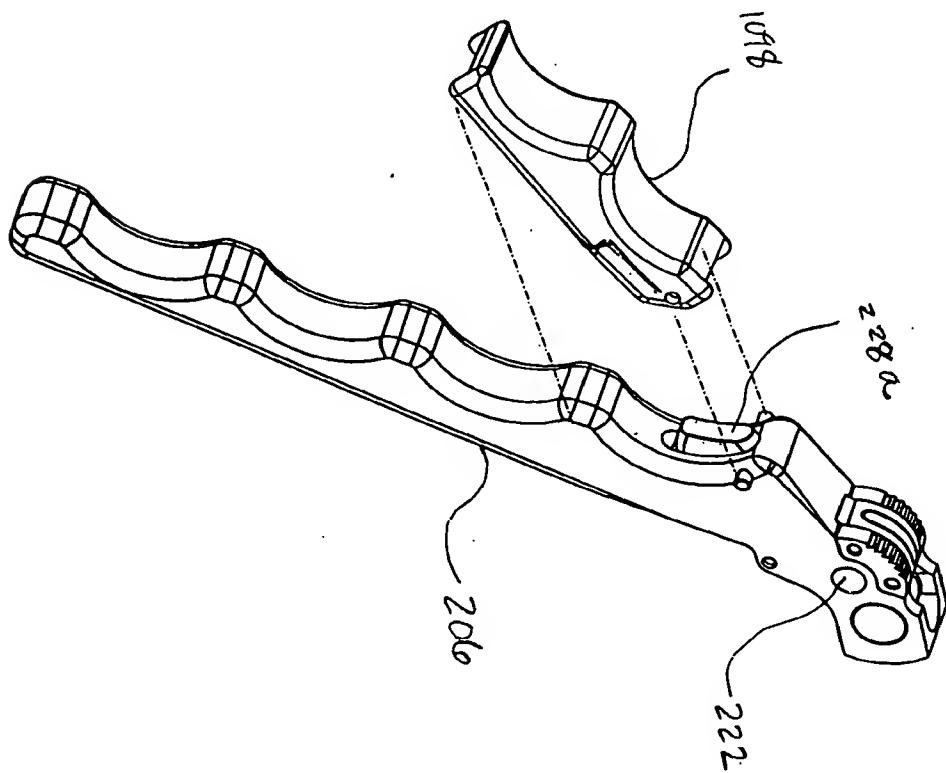


FIG-22



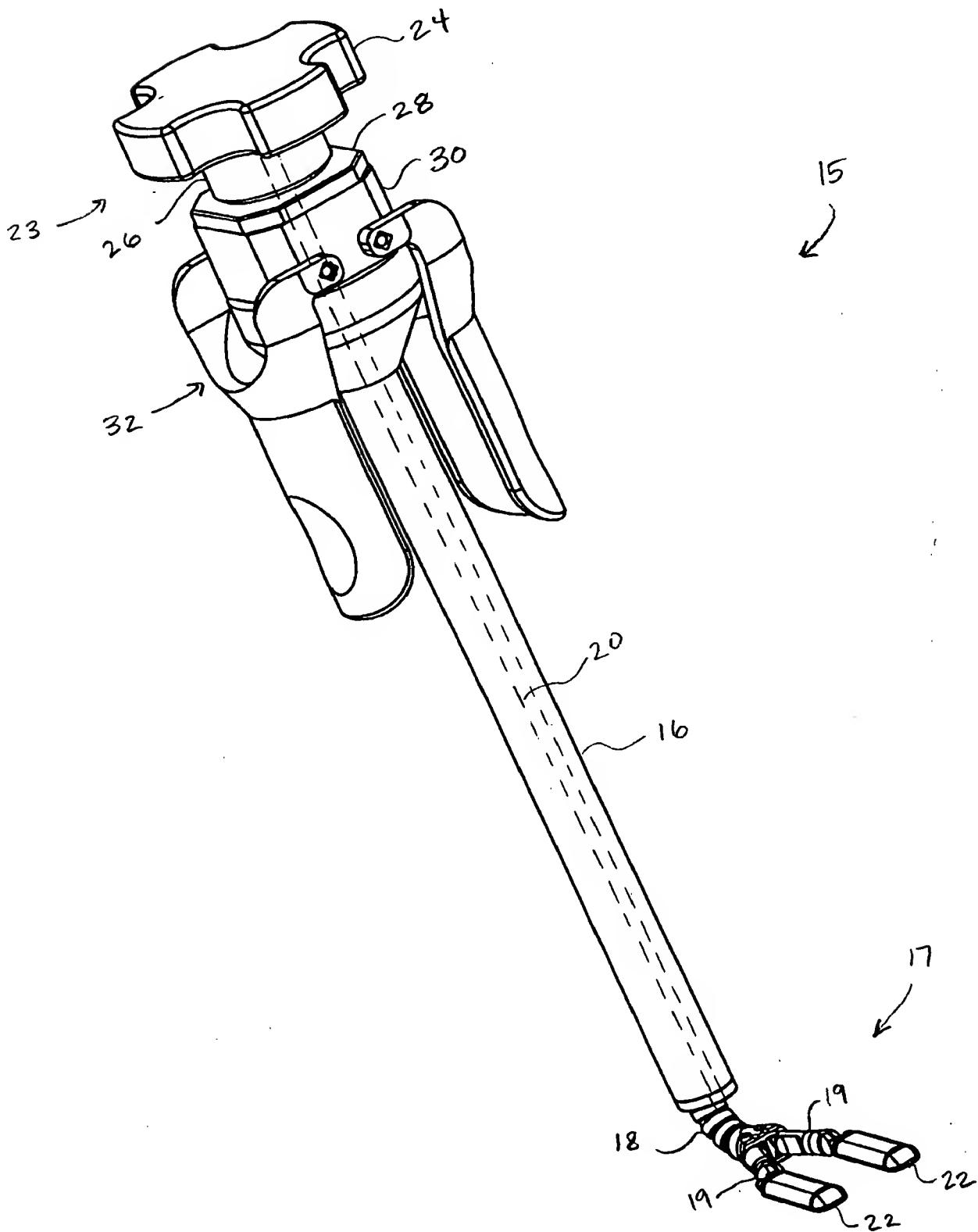
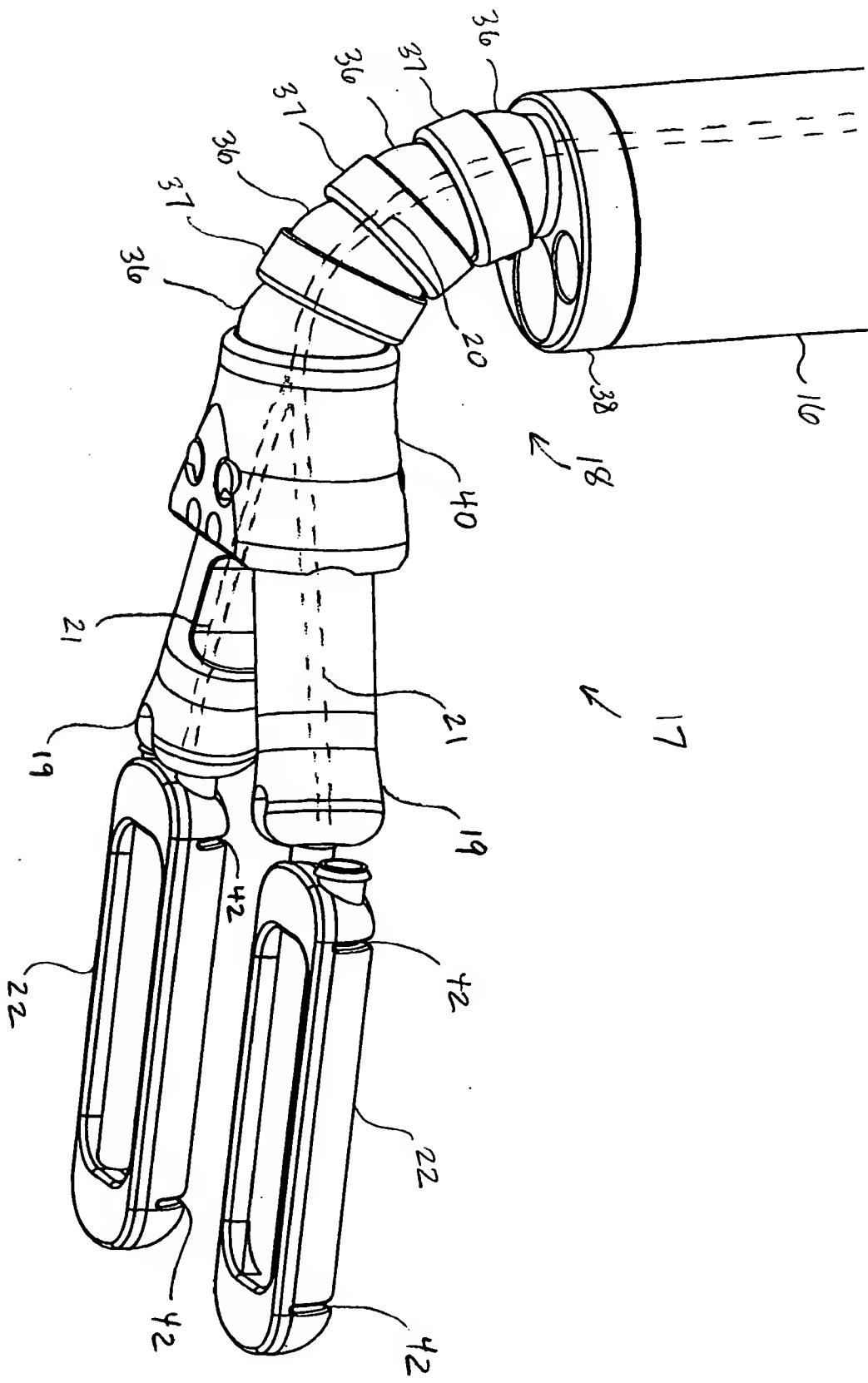


FIG - 23

FIG - 24



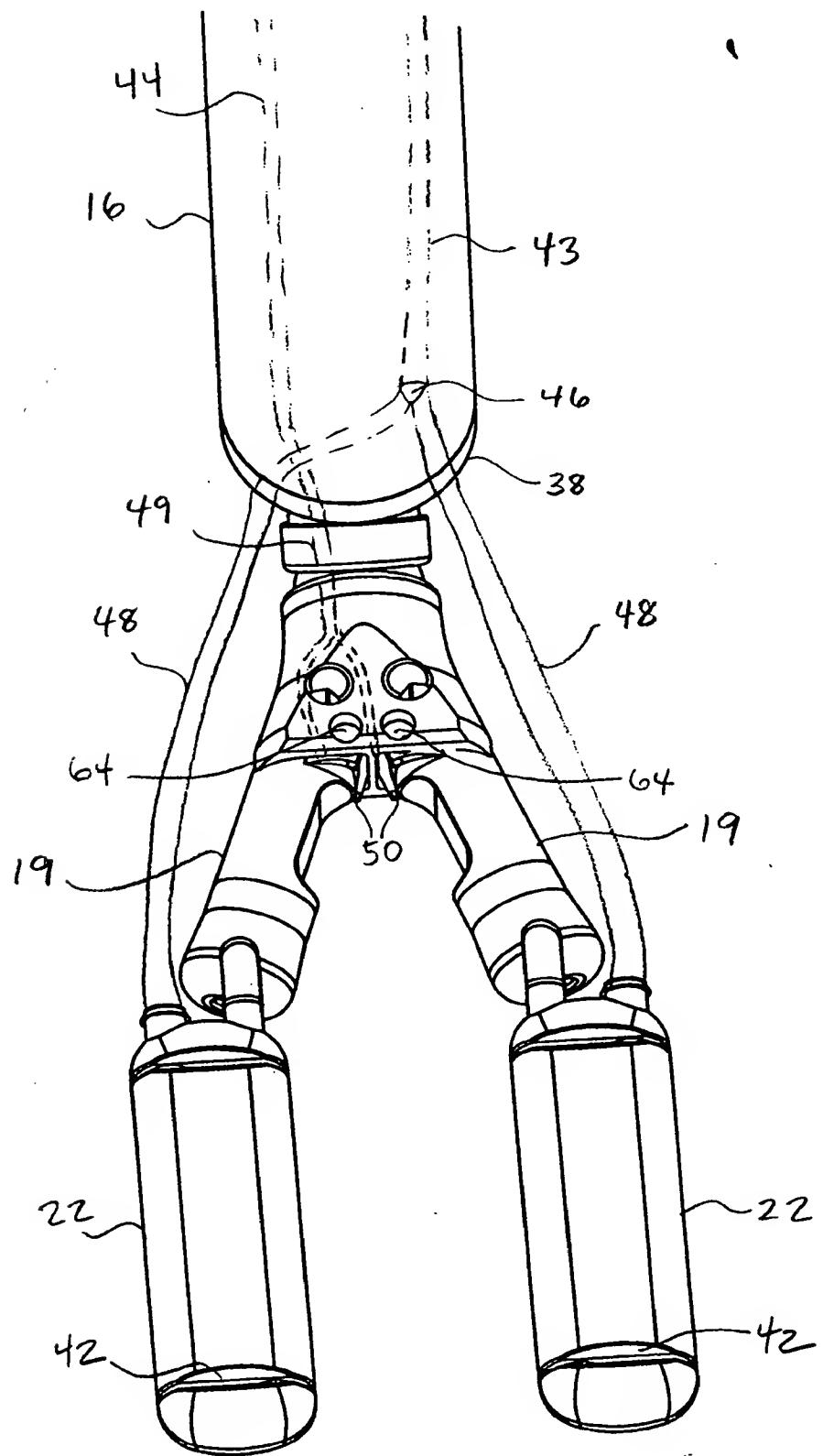


FIG-25

FIG-26

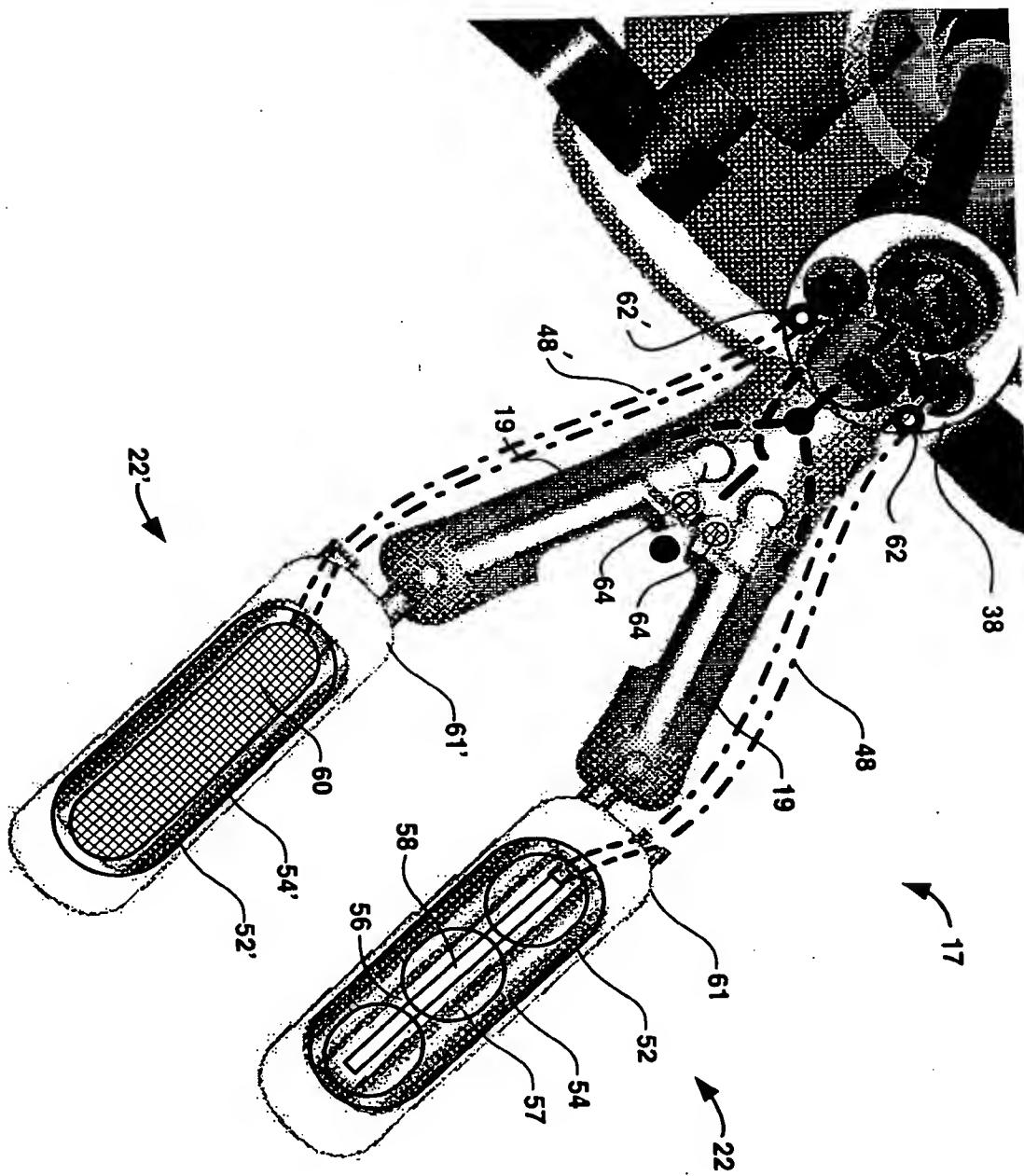
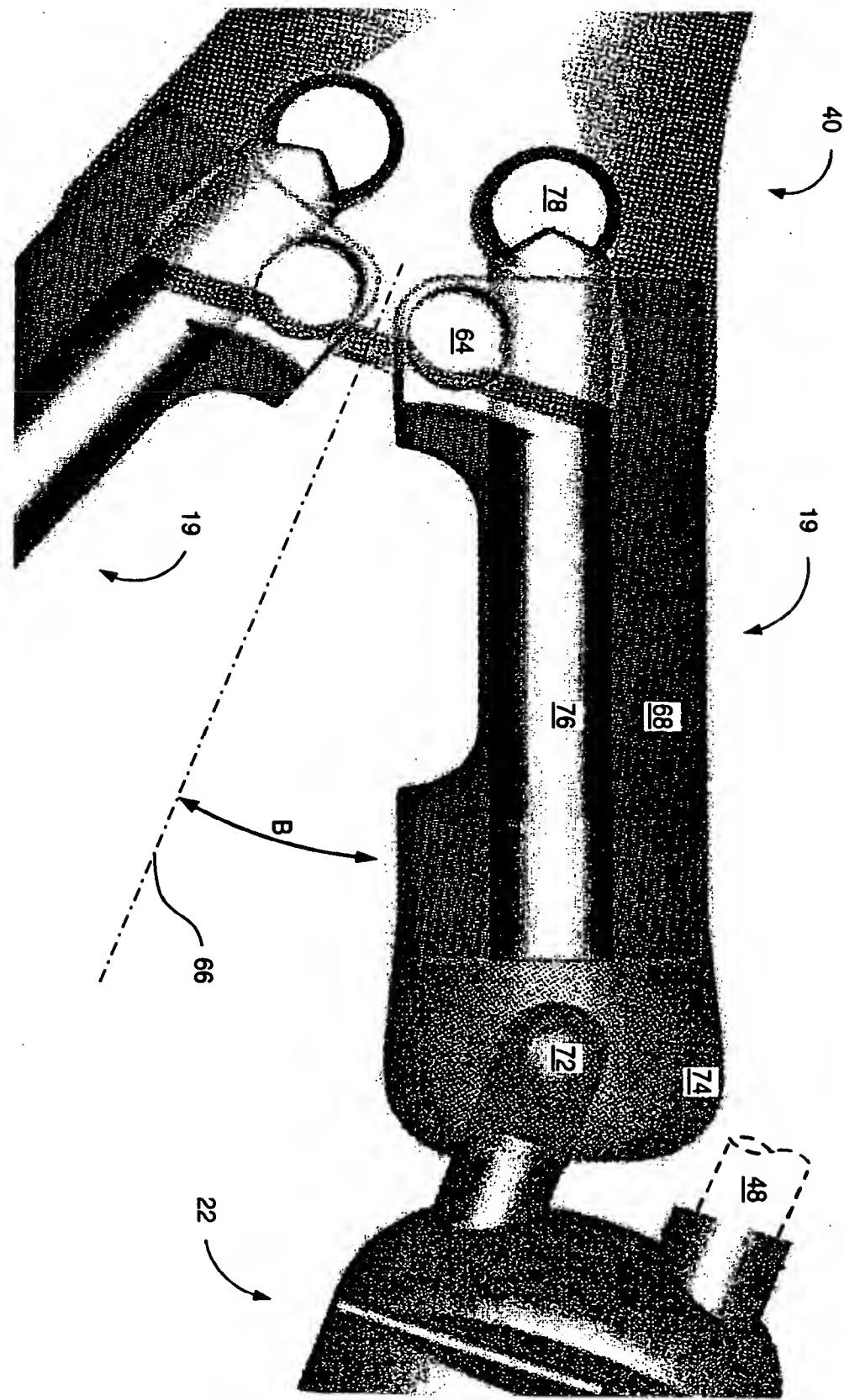
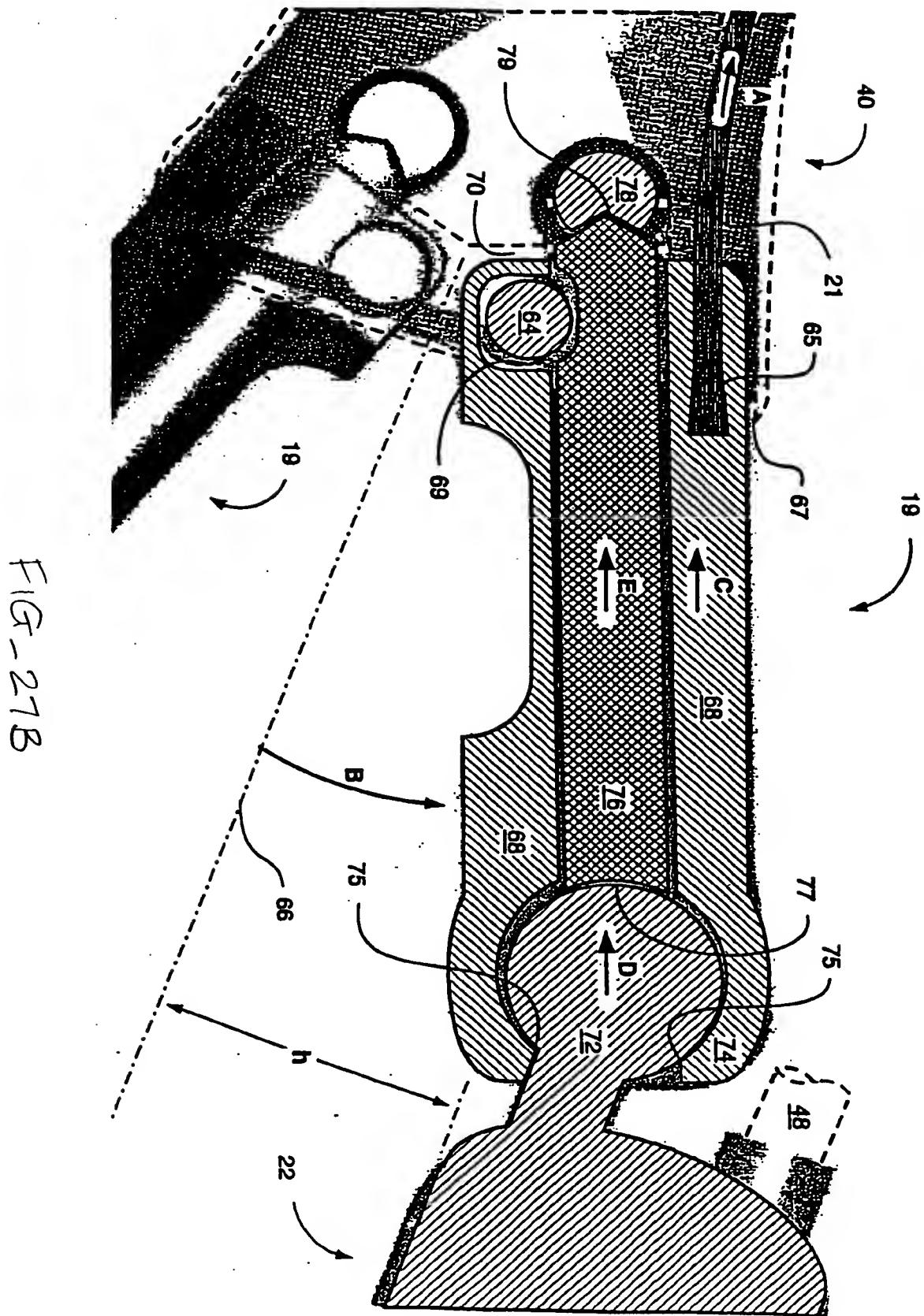


FIG-27A





TOBACCO "40086660

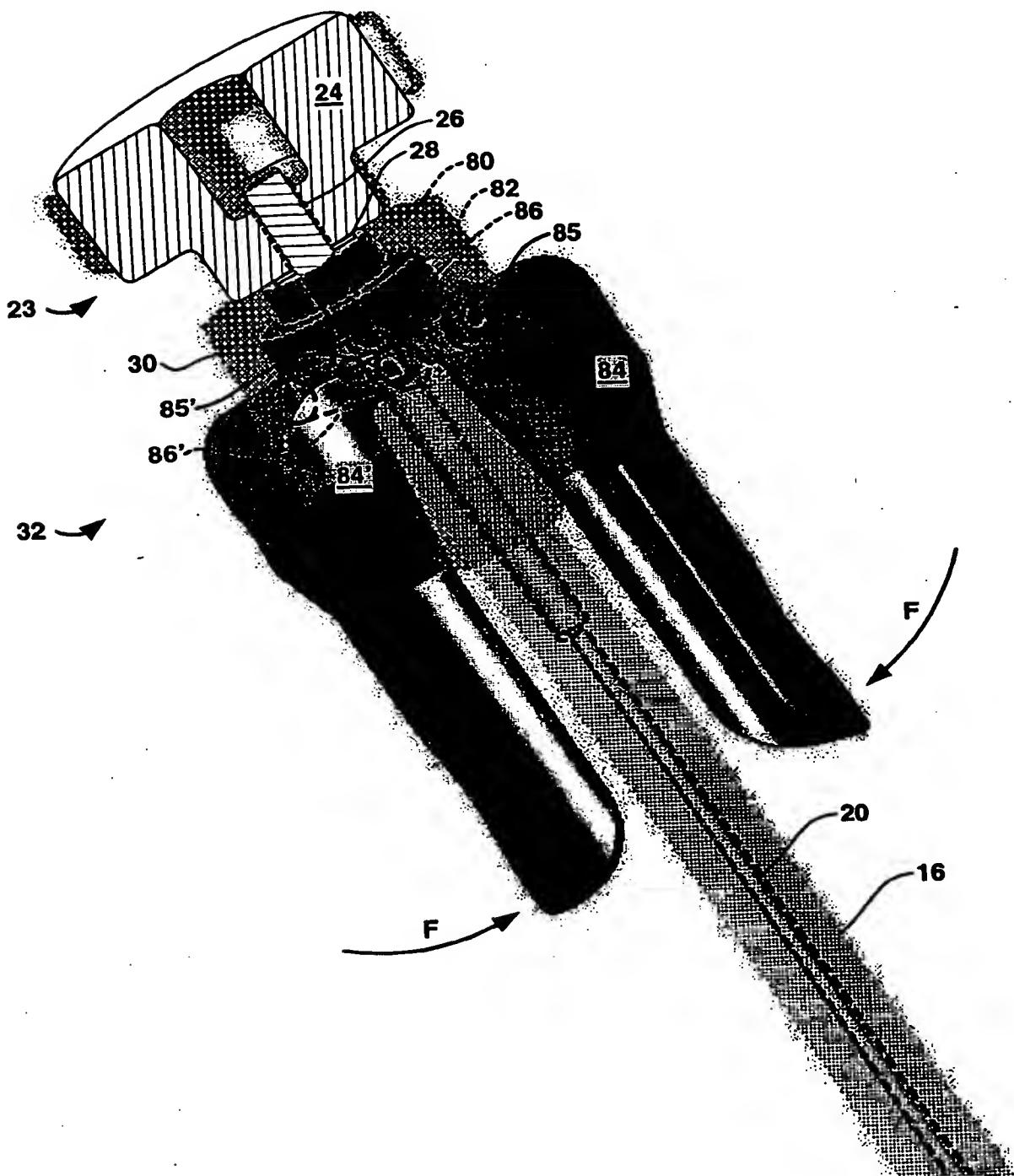


FIG-28A

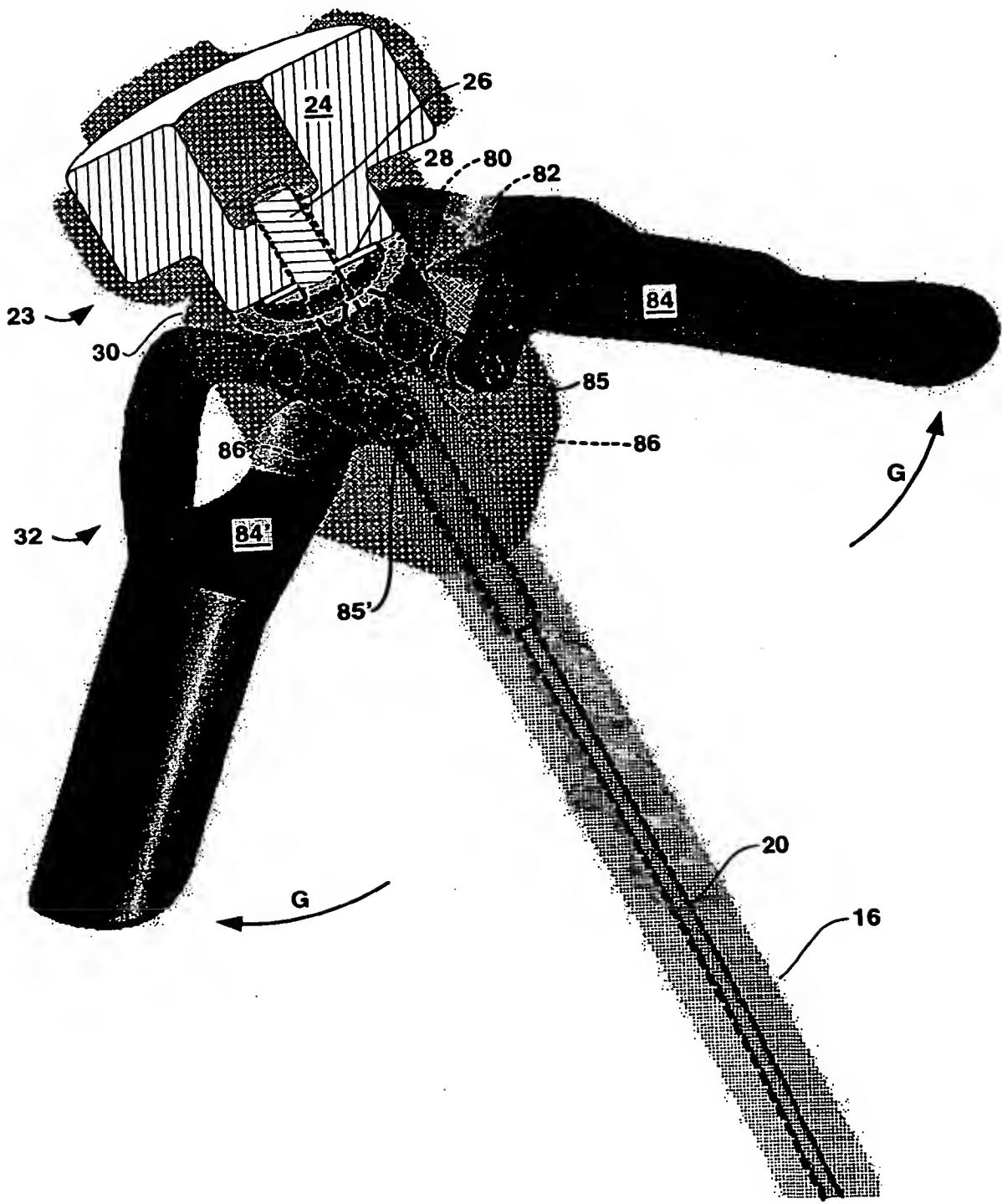
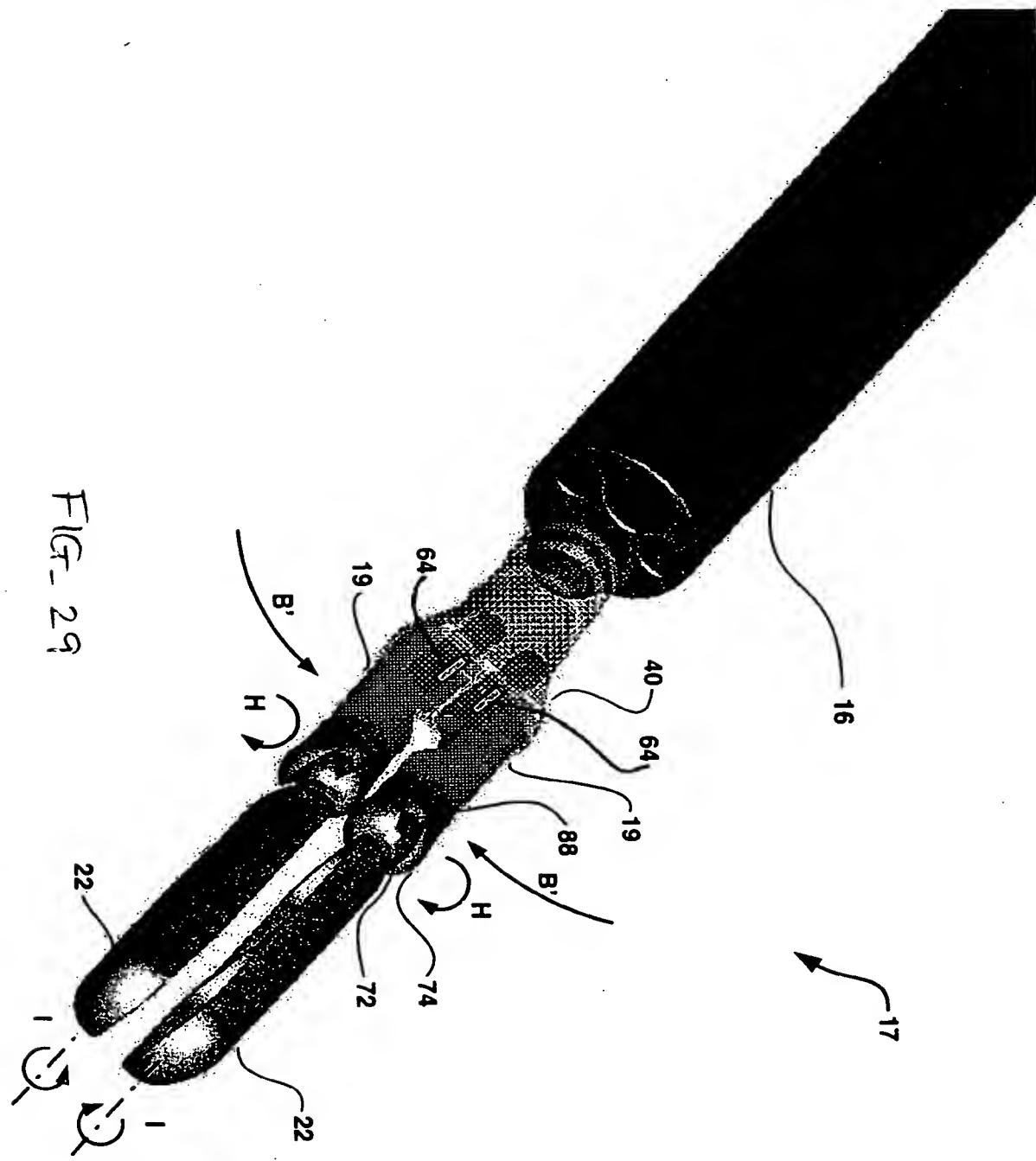
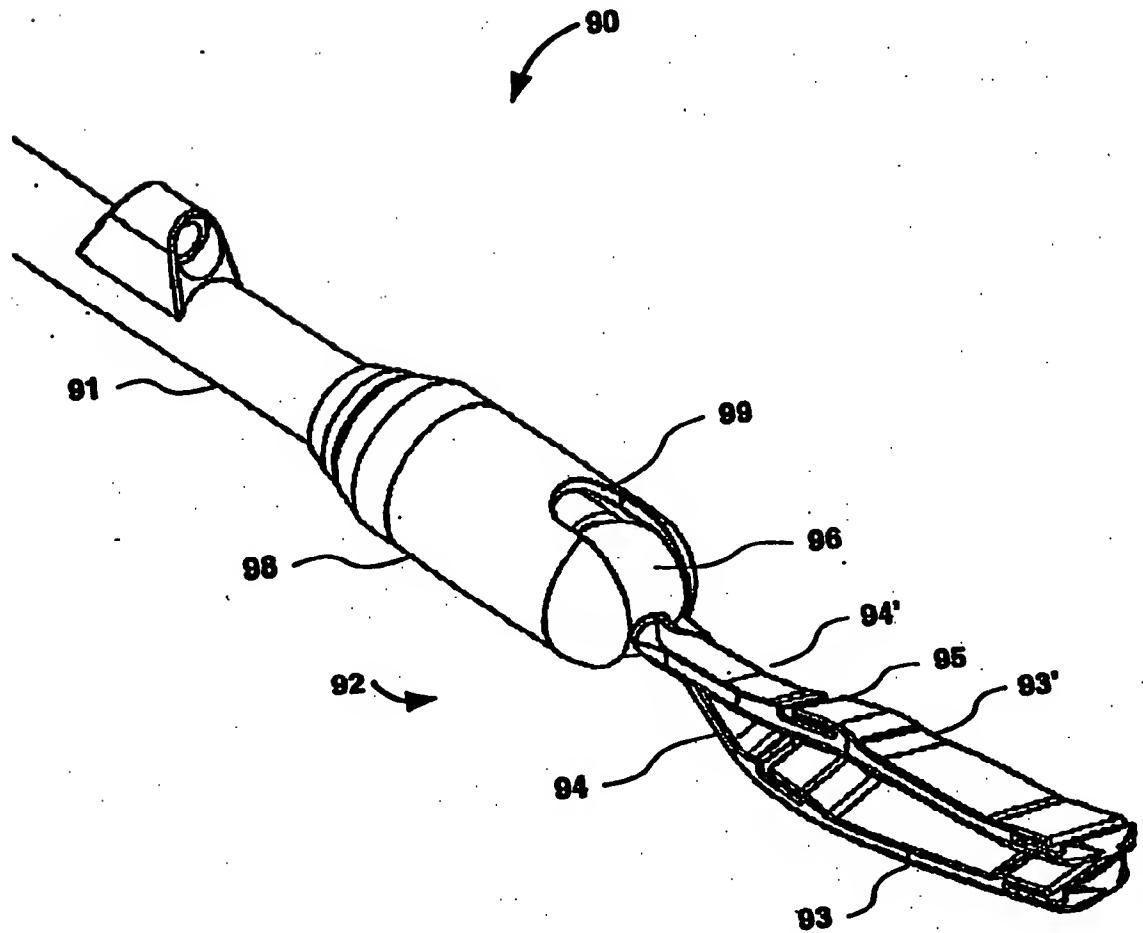


FIG-28B





FIG_30

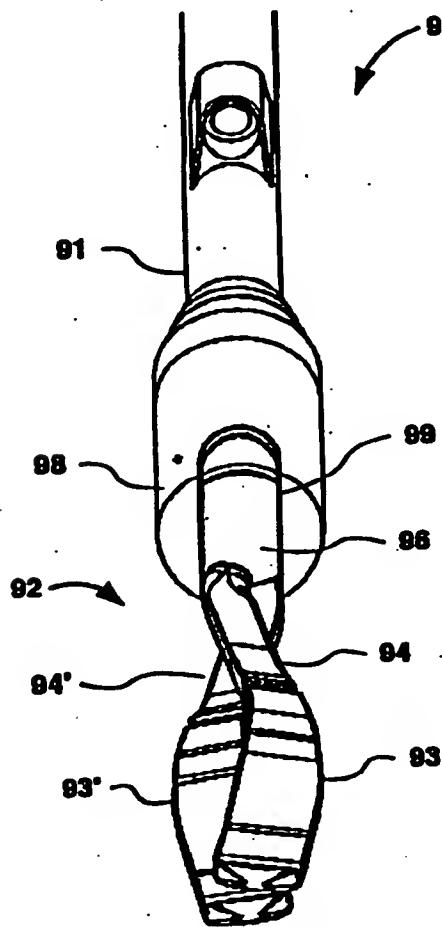


FIG-31

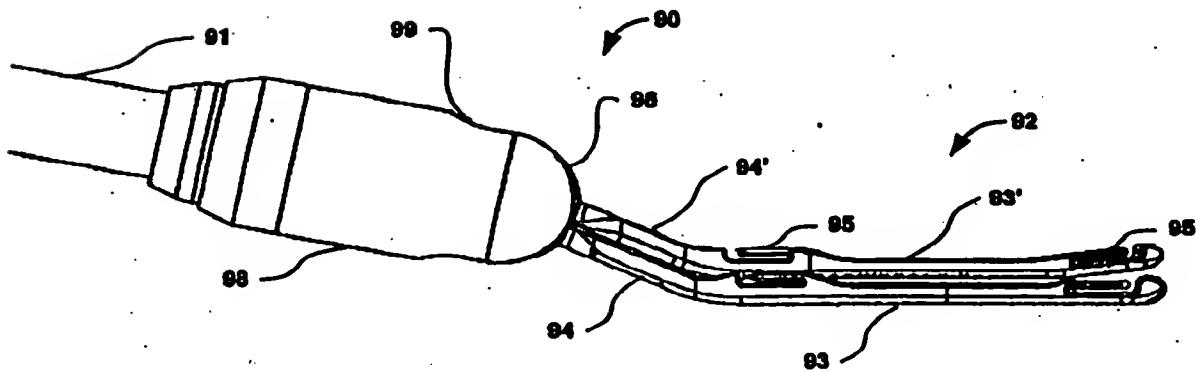


FIG-32

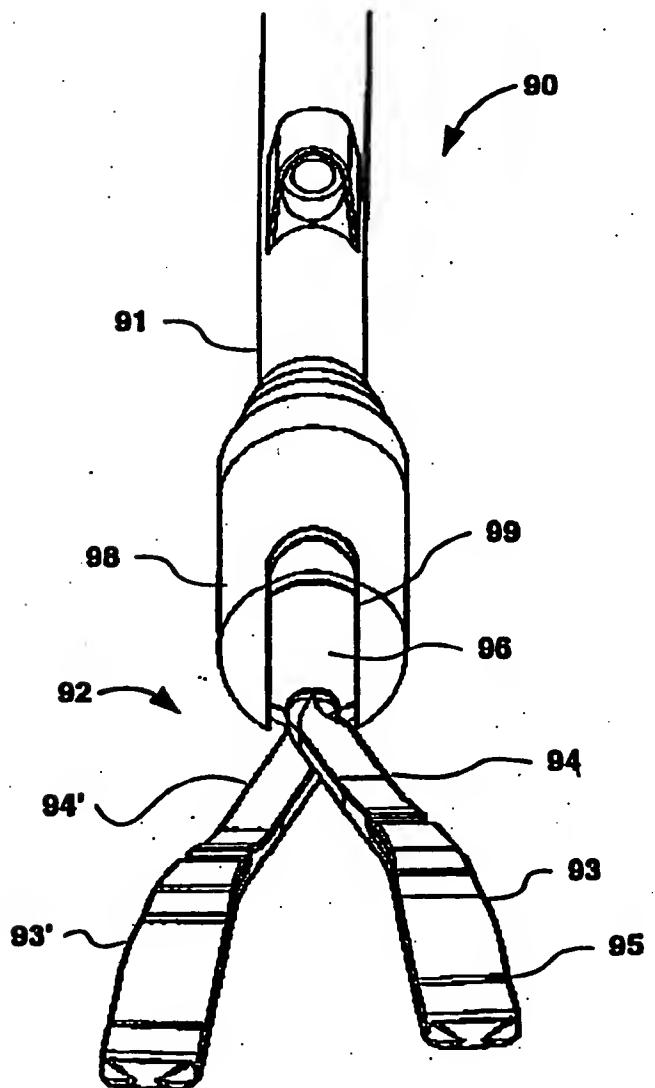


FIG-33

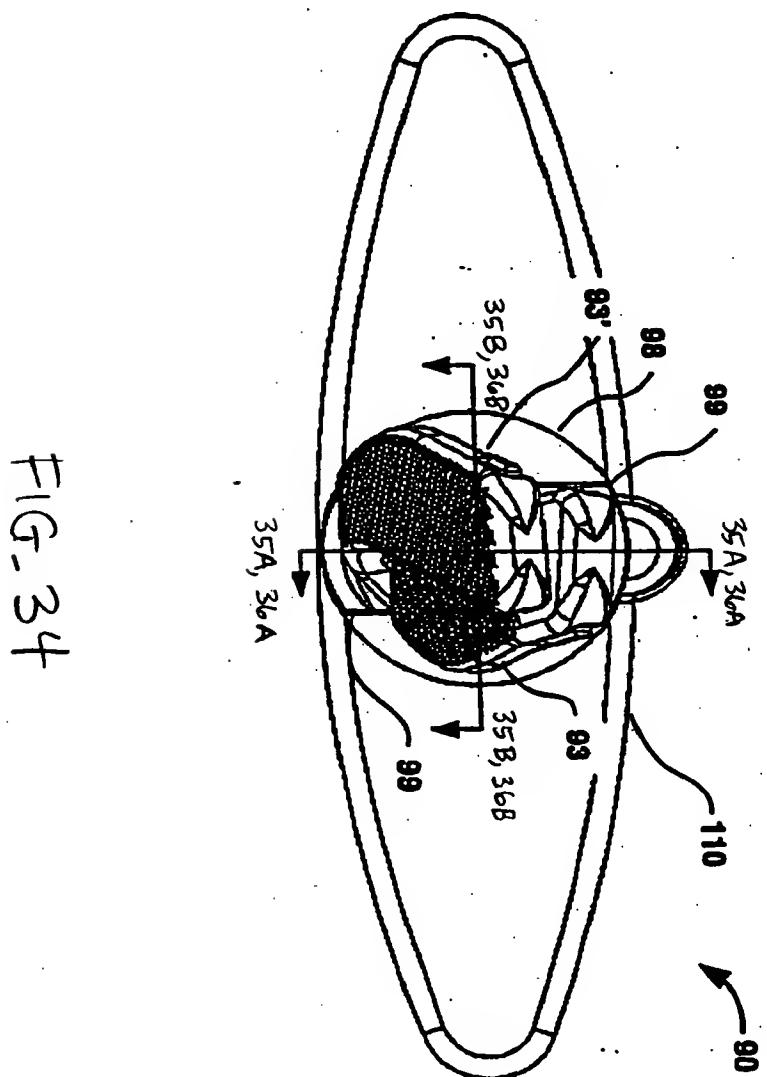


FIG. 35B

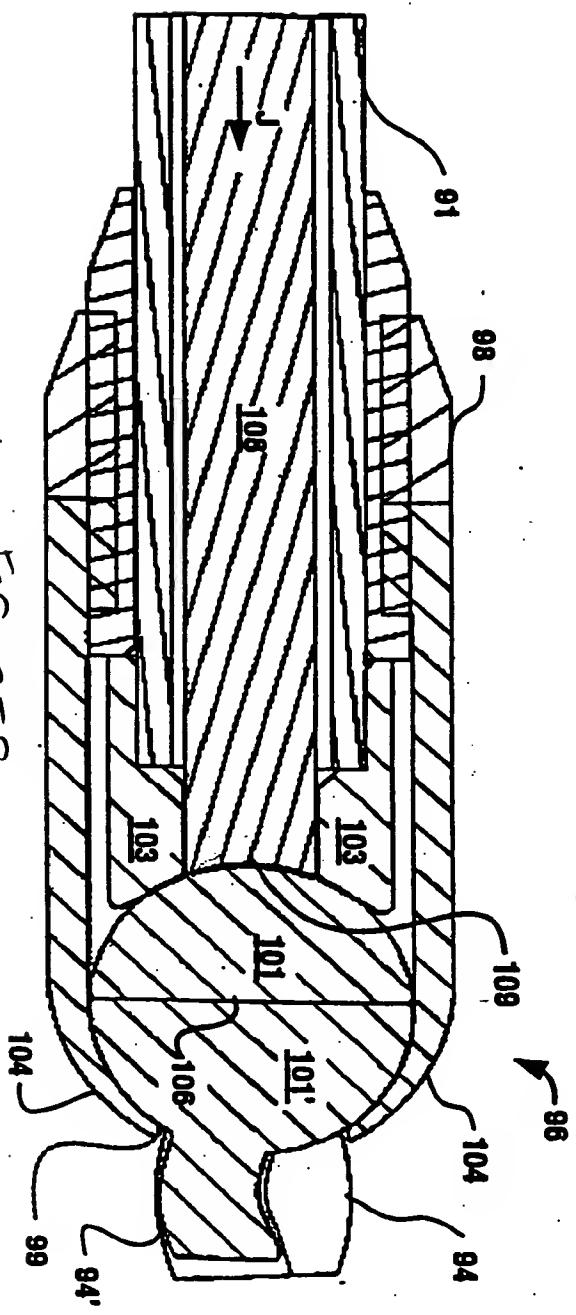
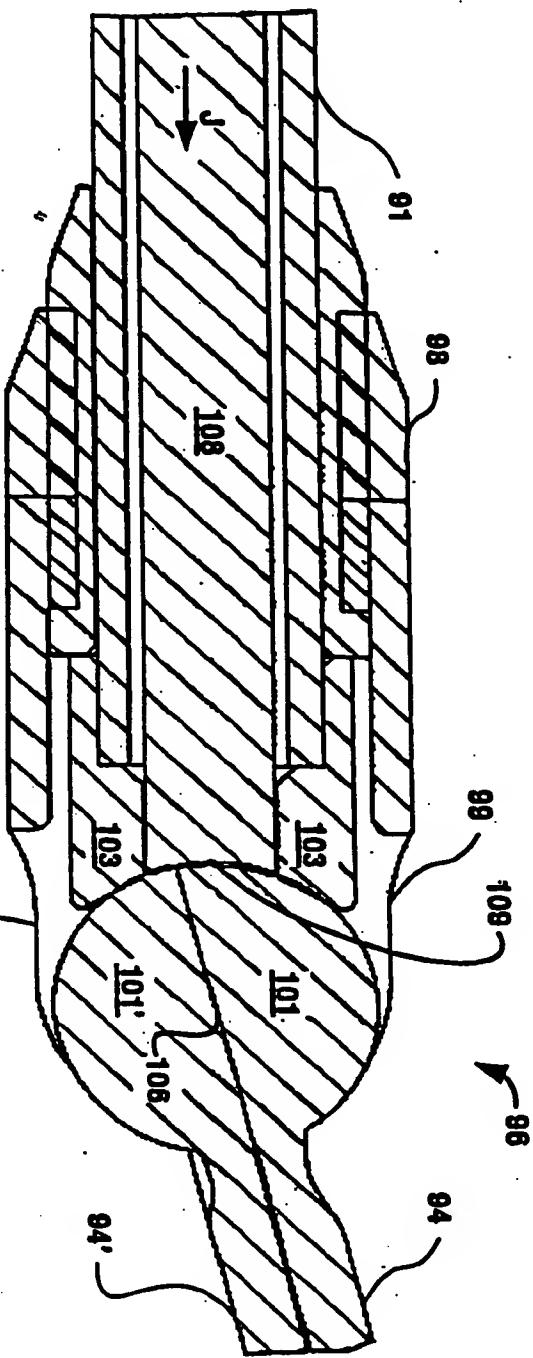
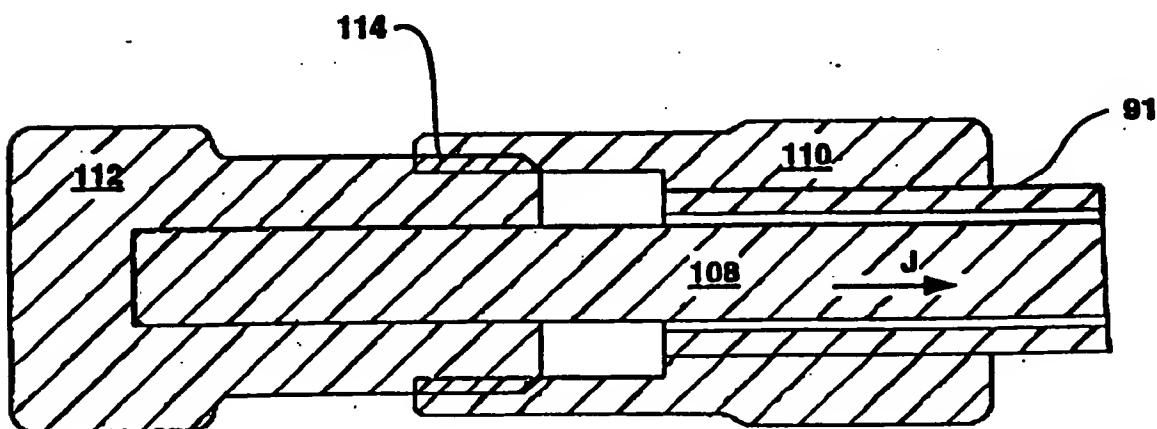
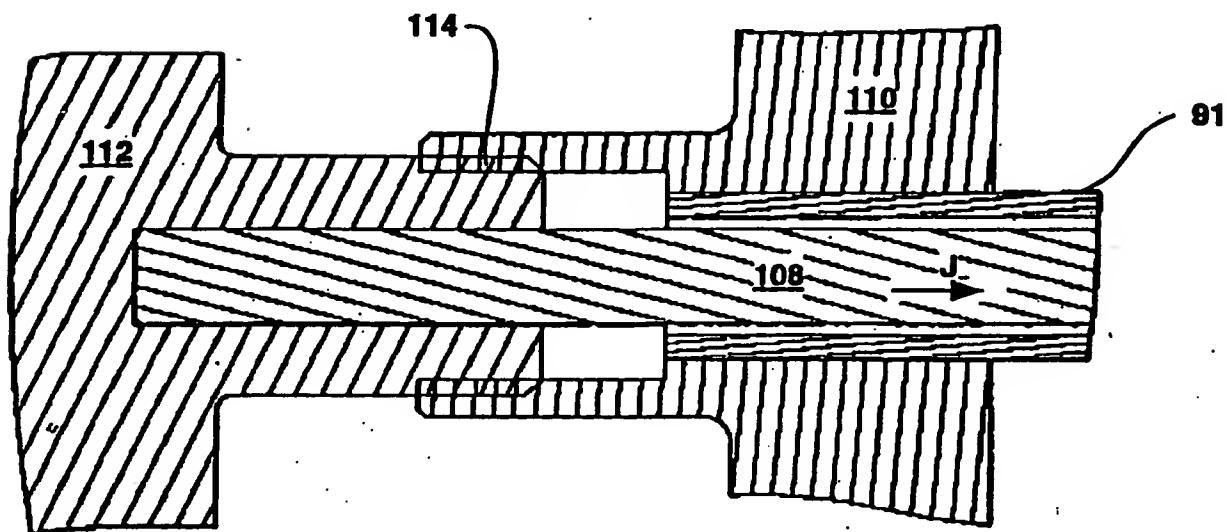


FIG. 35A





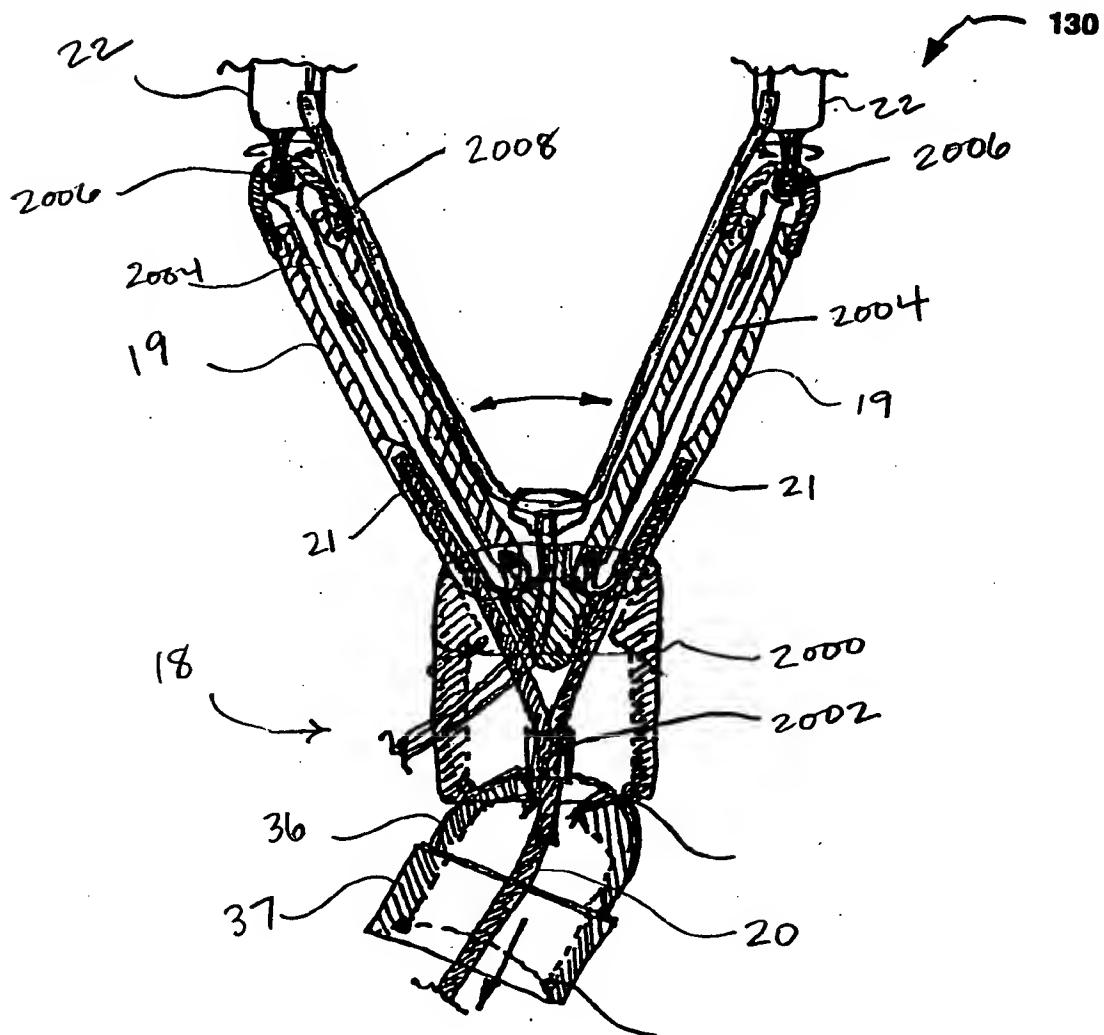


FIG. 37

FIG-38A

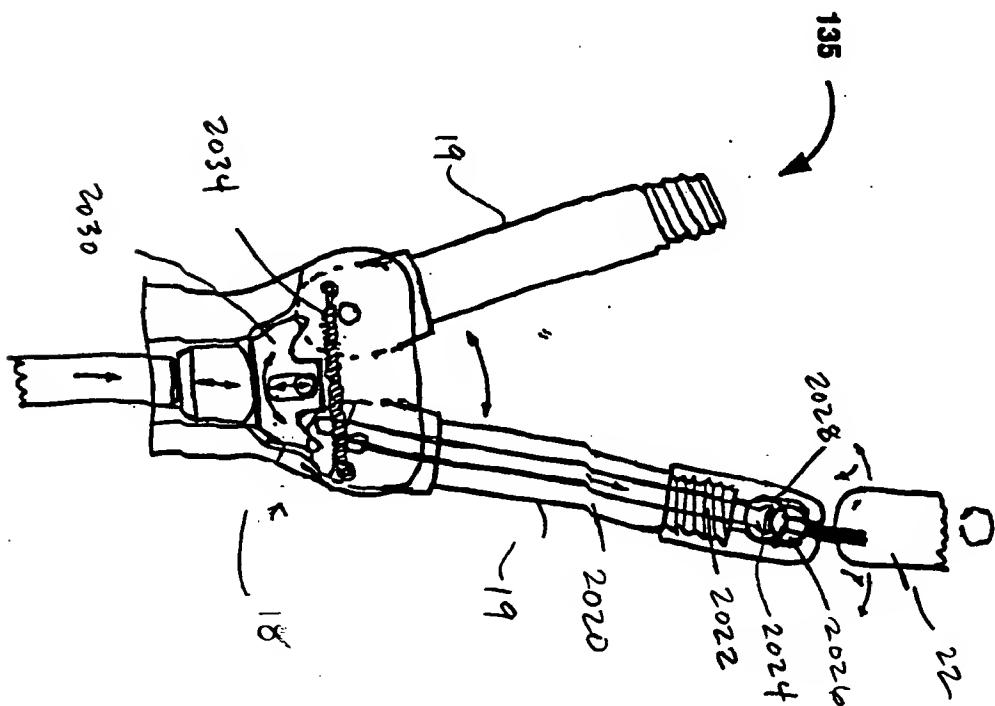


FIG-38B

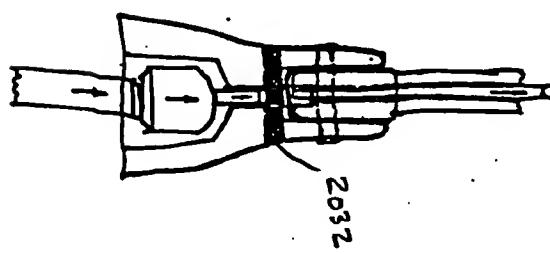


FIG - 39A

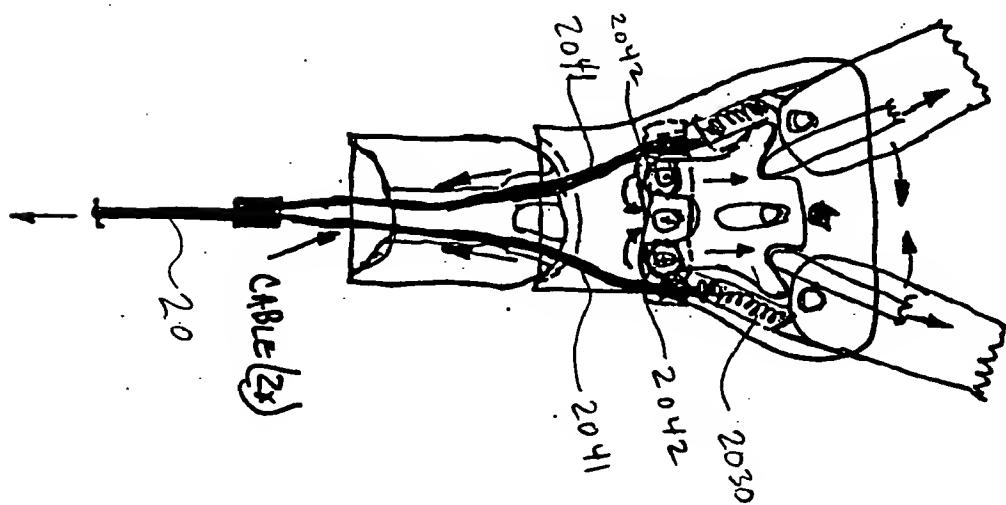
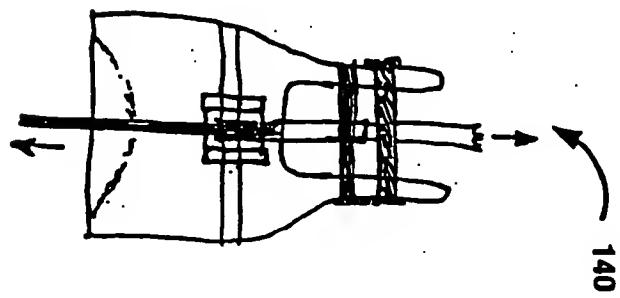
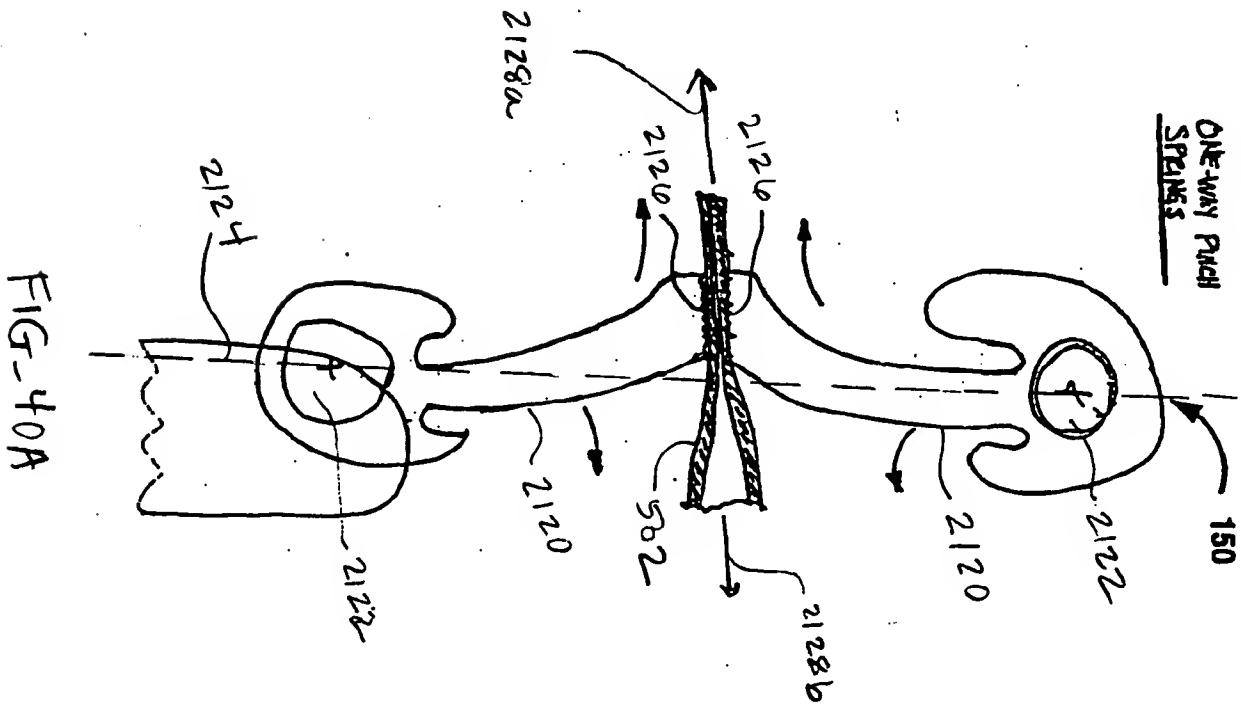
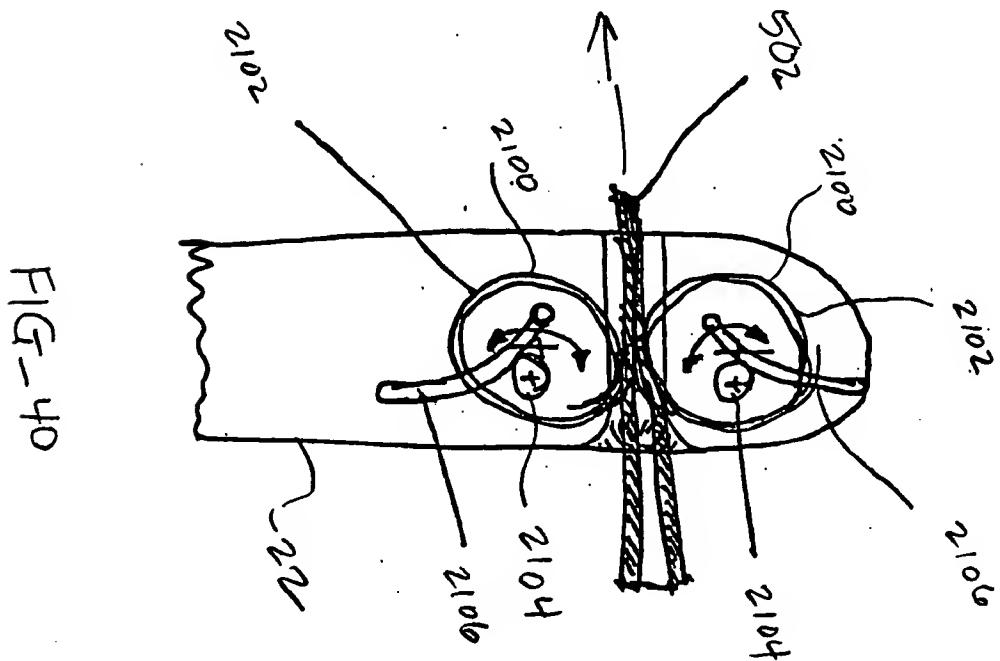


FIG - 39B





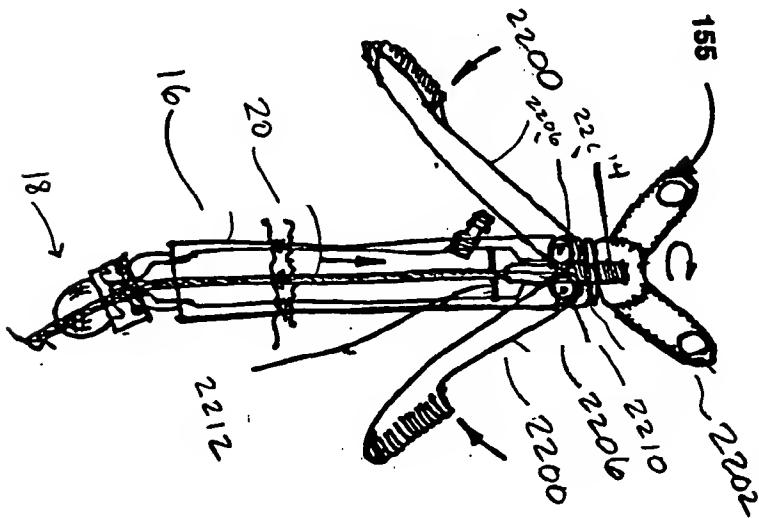


FIG-41A

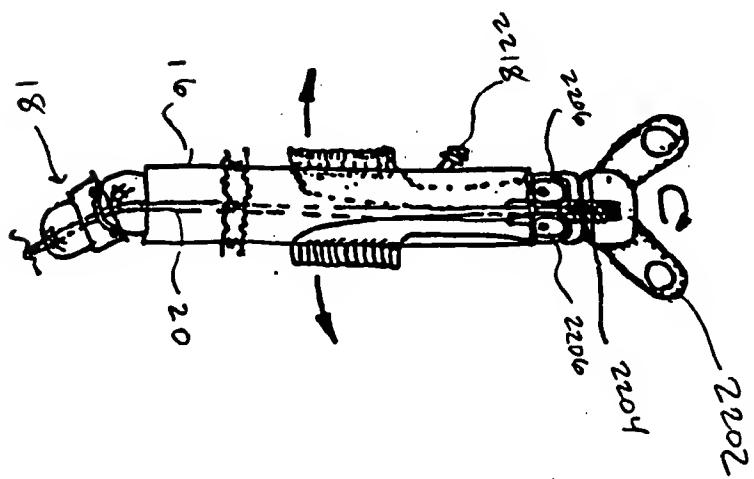


FIG-4.13

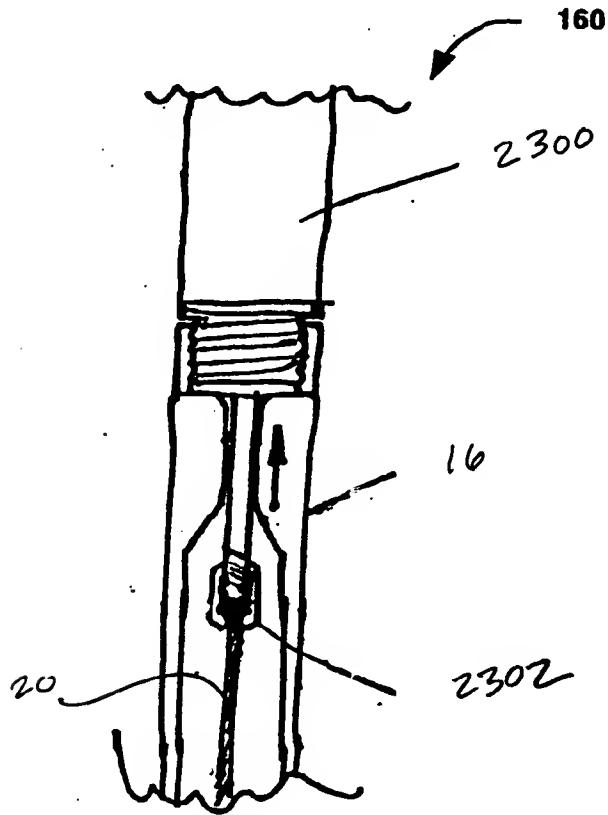


FIG-42

FIG - 43A

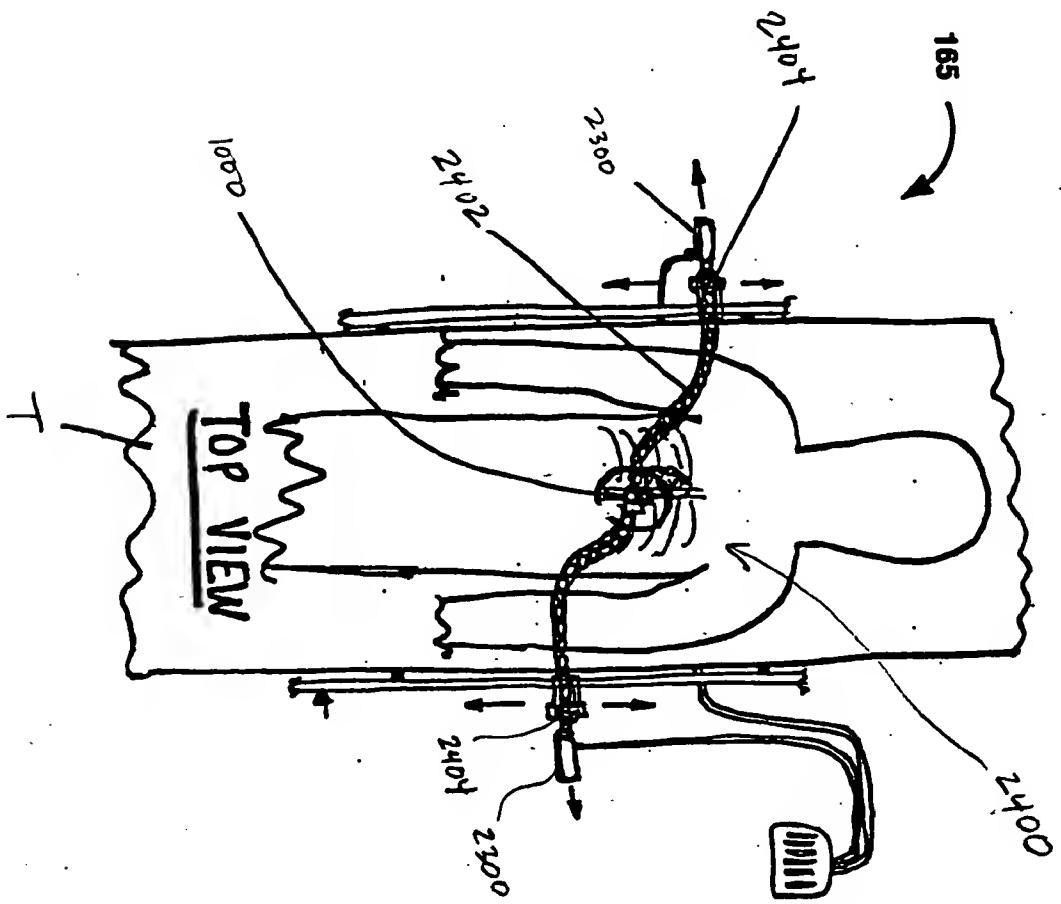
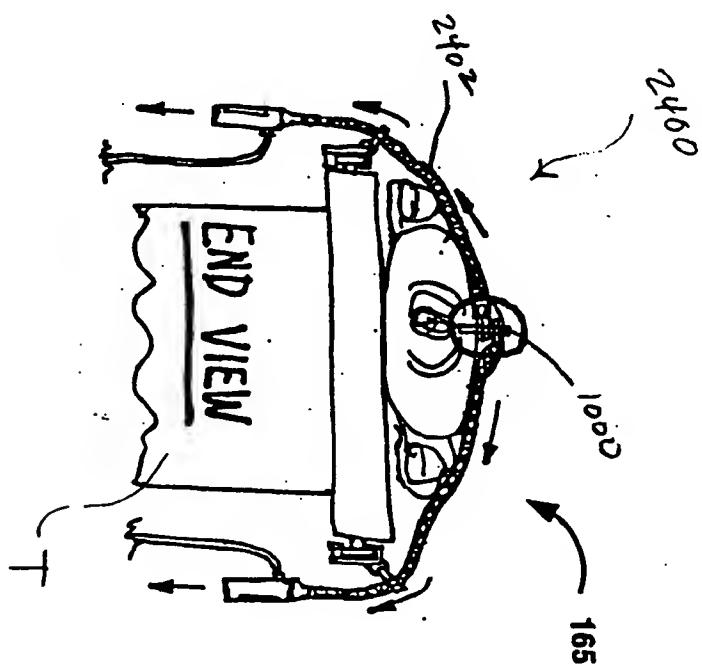


FIG - 43B



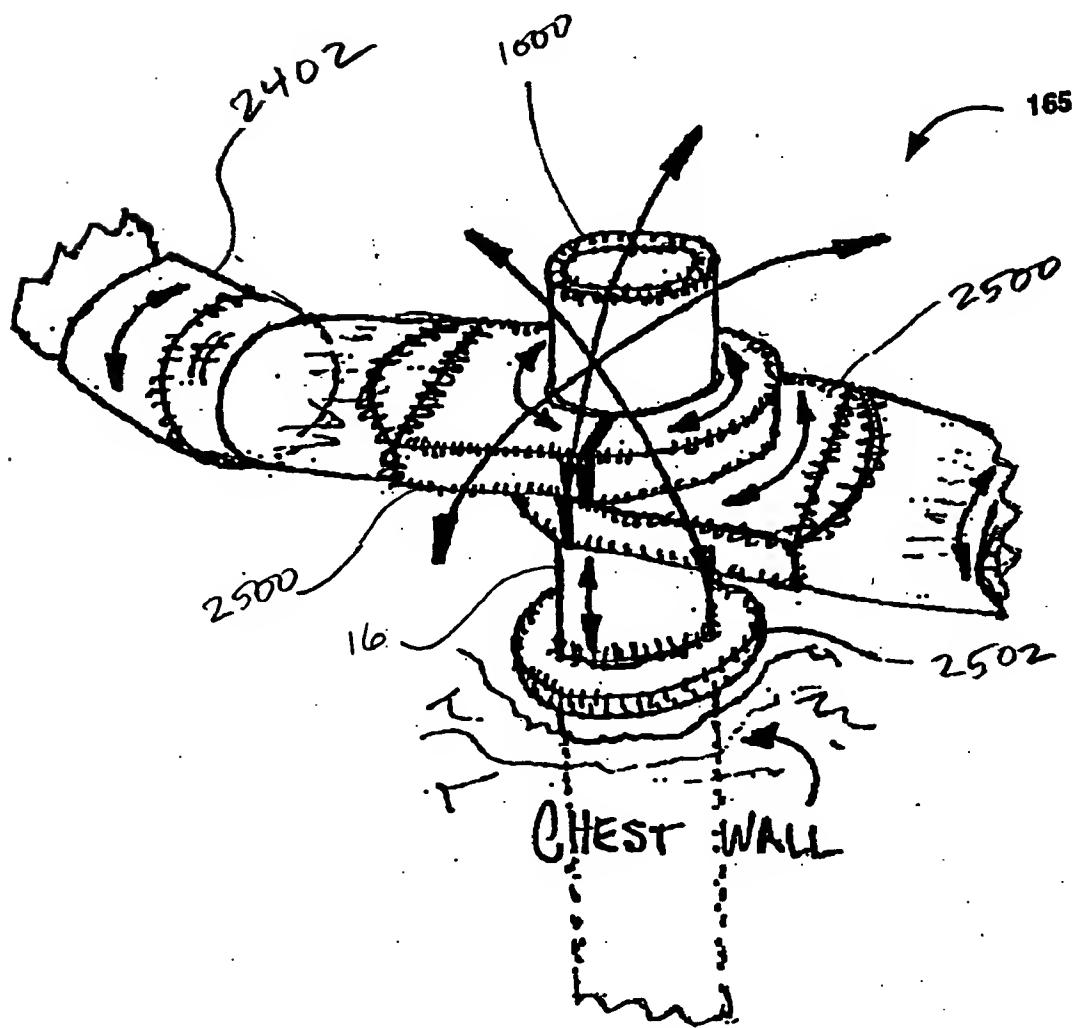


FIG-43C



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Assistant Commissioner for Patents Washington, D.C. 20231
on February 15, 2002

By:

Kimberly Badie
Kimberly Badie

PATENT
Attorney Docket No.: 17516-002580US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JULIAN, Christopher A. et al.

Application No.: 09/998,004

Filed: November 28, 2001

For: ENDOSCOPIC BEATING-HEART
STABILIZER AND VESSEL OCCLUSION
FASTENER

Examiner: Unassigned

Art Unit: 3739

**REQUEST FOR CORRECTED FILING
RECEIPT**

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in that the Drawings should read as follows:

45

The correction is not due to any error by applicant and no fee is due. Please charge any additional fees or credit overpayment to the Deposit Account No. 20-1430. This Petition is submitted in triplicate.

Respectfully submitted,

Lynn M. Thompson
Lynn M. Thompson
Reg. No. 47,991

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
LMT/kab PA 3201732 v1

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/998,004	11/28/2001	3739	0.00	017516-002580US	29 45	102	12

CONFIRMATION NO. 3890

20350
 TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

FILING RECEIPT

"OC000000007204028"

Date Mailed: 12/17/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Christopher A. Julian, Los Gatos, CA;
 Michael Ikeda, San Jose, CA;
 Andris D. Ramans, Mountain View, CA;
 Dean F. Hoornaert, Mountain View, CA;
 Margaret M. Isaac, Redwood City, CA;

Assignment For Published Patent Application

Intuitive Surgical, Inc., Mountain View, CA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/253,484 11/28/2000
 AND CLAIMS BENEFIT OF 60/285,641 04/19/2001
 AND CLAIMS BENEFIT OF 60/290,556 05/10/2001
 AND A CIP OF 09/436,524 11/09/1999

Foreign Applications

If Required, Foreign Filing License Granted 12/17/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Endoscopic beating-heart stabilizer and vessel occlusion fastener

Preliminary Class

600

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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